

City Hall  
80 Broad Street  
December 1, 2015  
5:00 p.m.

## **CITY COUNCIL**

### **A. Roll Call**

### **B. Invocation – Councilmember Gregorie**

### **C. Pledge of Allegiance**

### **D. Presentations and Recognitions**

1. Proclamation recognizing the 1955 Cannon Street YMCA Little League All-Star Team and Presentation of The National Consortium for Academics and Sports Breaking Barriers Award
2. Recognition of the Bishop England Girls Tennis Team

### **E. Public Hearings**

1. An ordinance providing for the distribution of funds for Fiscal Year 2016 generated by the Municipal Accommodations Fee as required by Ordinance No. 1996-18.
2. An ordinance providing for the distribution of funds for Fiscal Year 2016 generated by the Municipal Accommodations Fee as required by Ordinance No. 1996-56.
3. An ordinance to make appropriations to meet the liabilities of the City of Charleston for the fiscal year ending December 31, 2016.
4. An ordinance to raise funds for the fiscal year ending December 31, 2016 and to meet the appropriation of \$188,593,513 authorized by Ordinance 2015-\_\_\_\_ ratified the 15<sup>th</sup> day of December, 2015. (*Memorandum regarding annual millage dedicated to drainage fund*)

### **F. Act on Public Hearing Matters**

### **G. Approval of City Council Minutes:**

1. November 24, 2015 (*Deferred*)

### **H. Citizens Participation Period**

### **I. Petitions and Communications:**

1. Resolution expressing the intention to establish the West Ashley Redevelopment Project Area; authorizing staff to prepare an overall Redevelopment Plan; providing for notice and public hearing in connection with the foregoing; and other matters related thereto

**J. Council Committee Reports:**

**1. Committee on Public Works and Utilities: (Meeting was held on November 30, 2015 at 5:00 p.m.)**

a.) Acceptances and Dedications

**The Landing at Grand Oaks Phase I** – acceptance and dedication of Fulmar Place (50-foot right-of-way), a portion of Grouse Park (right-of-way varies), and a portion of Redwing Trail (50-foot right-of-way).

- a. Title to Real Estate
- b. Partial Release
- c. Plat
- d. Exclusive Stormwater Drainage Easements

**2. License Committee: (Meeting was held on November 30, 2015 at 4:00 p.m.)**

- a.) An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina, Ordinance number 1991-153, as amended by Ordinance Numbers 1991-194, 1992-587, 1993-448, 1994-469, 1995-565, 1996-218, 1997-455, 1998-118, 1999-176, 2000-231, 2001-116, 2002-143, 2003-109, 2004-131, 2005-671, 2006-599, 2007-238, 2008-162, 2009-259, 2010-264, 2011-296, 2012-403, 2013-144, 2014-154 to adopt said Ordinance, as amended, as the Business License Ordinance for the City of Charleston, South Carolina, for the fiscal year commencing January 1, 2016.

**3. Committee on Public Safety: (Meeting was held on November 30, 2015 at 3:00 p.m.)**

a.) Updates:

Police Department  
Fire Department  
Emergency Management

- b.) An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 21, Section 115 to provide regulations for the operation of unmanned aerial vehicles.

**4. Committee on Ways and Means:**

(Bids and Purchases

(Recreation: Approval to accept the Swimming Saves Lives Foundation Grant in the

amount of \$1,500 for the Swim Calm classes and the City's Adult Swim Program. No City match is required.

(Parks-Capital Projects: Approval to accept the Federal funding from FEMA in the amount of \$281,512 for Phase I of the Fire Station #6 (Cannon Street) Retrofit Project. This grant requires a match of \$93,987 in City funding, and is for the purpose of preparing design and permit documents for the mitigation of future hazards at the station (hurricane, earthquake, flood, etc.) Successful completion of this task would allow access to additional funding for implementation of the plan. The approval of the grant award will institute a \$375,349 project budget for the Phase I portion of the project. The funding sources for the project are: 2015 FEMA Grant Funds (\$281,512) and 2015 Installment Purchase Revenue Bond (\$93,837).

(Recommendations of State Accommodations Tax Advisory Committee that met and approved both of the attached budgets on 11/19/15

--2015 Amended State Accommodations Tax Budget

--2016 Proposed State Accommodations Tax Budget

(Hospitality Fee Budget

--Approval of amended 2015 Hospitality Fee Budget

--Approval of proposed 2016 Hospitality Fee Budget

(2016 Municipal Accommodations Fee Ordinances for Capital Projects and Operating Expenses (2 Ordinances) Refer to Public Hearings – City Council Agenda Items #E1-E2)

(2016 General Fund & Enterprise Funds Expenditure Budget (Ordinance) (Refer to Public Hearings – City Council Agenda Item #E3)

(2016 General Fund & Enterprise Funds Revenue Budget (Ordinance)(Refer to Public Hearings – City Council Agenda Item #E4)

(Public Service: Request approval to amend the definition of “Base Rate” for Stormwater Utility Fees to ensure the fee is adjusted in conjunction with the City's budget based on the cost of living calculation for the Southeast Region as determined by the U.S. Department of Labor Statistics (Ordinance)

(An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina, Ordinance number 1991-153, as amended by Ordinance Numbers 1991-194, 1992-587, 1993-448, 1994-469, 1995-565, 1996-218, 1997-455, 1998-118, 1999-176, 2000-231, 2001-116, 2002-143, 2003-109, 2004-131, 2005-671, 2006-599, 2007-238, 2008-162, 2009-259, 2010-264, 2011-296, 2012-403, 2013-144, 2014-154 to adopt said Ordinance, as amended, as the Business License Ordinance for the City of Charleston, South Carolina, for the fiscal year commencing January 1, 2016.

(Dedication of a Portion of Franchise Fees for Drainage and Affordable Housing (Ordinance)

(Request approval of (1) Amendment to the Transfer and Development Agreement between the City of Charleston and the Housing Authority of the City of Charleston to extend the due diligence period and modify the commencement and completion dates of construction on Parcel B and Parcel © by the Housing Authority; and (2) Amendment to the Development Agreement between the City of Charleston and the Housing Authority of the City of Charleston to modify the commencement and completion dates of construction on Parcel B and Parcel © by the Housing

Authority [Ordinance]

(Request approval of a Lease between the City of Charleston and the International African American Museum for 14 Wharfside Street located in the City and County of Charleston, State of South Carolina [Ordinance]

(Request approval of a Memorandum of Agreement between the City of Charleston and Crosstown Development Partners, LLC (194 Spring Street, Charleston, SC and a portion of Norman Street; TMS: 460-11-01-006)

(Request authorization for the Mayor to execute the Agreement for the Purchase and Sale of Real Property (the "Agreement") with 99 West Edge Developer, LLC, and such other documents necessary to close the transaction, including the Development Agreement and such easements or agreements referenced in the Agreement as approved by Corporation Counsel (99 WestEdge, a portion of parcel located at 180 Lockwood Drive; TMS: 460-00-00-013) [Ordinance]

(Consider the following annexations:

(i) 1140 San Juan Avenue (TMS# 418-06-00-043) 0.18 acre, West Ashley (District 3)

(ii) 2112 Saint James Drive (TMS# 343-02-00-074) 0.24 acre, James Island (District 11)

(Update on Longborough

*Give first reading to the following bill coming from Ways and Means:*

An ordinance to amend the definition of "Base Rate" as set forth in Sec. 27-134 of the Code of the City of Charleston to specify how the base rate for Stormwater Utility fees is adjusted.

An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina, Ordinance number 1991-153, as amended by Ordinance Numbers 1991-194, 1992-587, 1993-448, 1994-469, 1995-565, 1996-218, 1997-455, 1998-118, 1999-176, 2000-231, 2001-116, 2002-143, 2003-109, 2004-131, 2005-671, 2006-599, 2007-238, 2008-162, 2009-259, 2010-264, 2011-296, 2012-403, 2013-144, 2014-154 to adopt said Ordinance, as amended, as the Business License Ordinance for the City of Charleston, South Carolina, for the fiscal year commencing January 1, 2016.

An ordinance to amend Ordinance No. 2009- 253 and 2009-254 pertaining to the sunset clauses applicable to two (2%) percent of the five (5%) percent SCE&G Franchise Fee and to designate a portion of the Franchise Fee of SCE&G and the Berkeley Electric Cooperative Inc. for drainage improvements and affordable housing.

An ordinance authorizing the Mayor to execute the necessary documents to enter into that certain Amendment to the Transfer and Development Agreement between the City of Charleston and the Housing Authority of the City of Charleston to extend the due diligence period for Parcel J and Parcel © on a portion of the Cooper River Redevelopment Area; and authorizing the Mayor to execute the necessary documents to enter into that certain Amendment to the Development Agreement

between the City of Charleston and the Housing Authority of the City of Charleston to revise the commencement and completion date of construction on Parcel J and Parcel © on a portion of the Cooper River Redevelopment Area, said property being located in the City and County of Charleston, State of South Carolina, said Amendment to the Transfer and Development Agreement being marked as Exhibit A, attached hereto and incorporated by reference herein and said Amendment to the Development Agreement being marked as Exhibit B, attached hereto and incorporated by reference herein.

An ordinance authorizing the Mayor to execute the necessary documents to enter into that certain Lease between the City of Charleston and the International African American Museum for 14 Wharfside Street in the City and County of Charleston, State of South Carolina, said lease being marked as Exhibit A, attached hereto and incorporated by reference herein.

An ordinance authorizing the Mayor to execute on behalf of the City an Agreement for the Purchase and Sale of Real Property with 99 West Edge Developer, LLC pertaining to a portion of property owned by the City bearing Charleston County Tax Map No. 460-00-00-013, and such other documents as may be necessary to close the transaction, to include a Special Warranty Deed, a Development Agreement governing the development of the property and such easements or agreements referenced in the Agreement for the Purchase and Sale of Real Property that have been approved by the office of corporation counsel.

An ordinance to provide for the annexation of property known as 1140 San Juan Avenue (0.18 acre) (TMS# 418-06-00-043), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 3.

An ordinance to provide for the annexation of property known as 2112 Saint James Drive (0.24 acre) (TMS# 343-02-00-074), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11.

**K. Bills up for Second Reading:**

1. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 82 Mary Street (Peninsula) (1.09 acres) (TMS #460-12-02-096) (Council District 4), be rezoned from Light Industrial (LI) classification to Mixed Use/Workforce Housing (MU-2/WH) classification.*
2. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Bees Ferry Road (West Ashley) (approximately 7.0 acres) (a portion of TMS# 301-00-00-027) (Council District 5), be rezoned from Gathering Place (GP) classification to General Business (GB) classification.*

3. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 6134 Chisolm Road (Johns Island) (18.50 acres) (TMS #253-00-00-073) (Council District 5), be rezoned so as to be included in the School Overlay Zone (S) classification.*
4. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 104 Live Oak Avenue (Ashley Forest - West Ashley) (0.14 acre) (TMS #418-13-00-281) (Council District 9), annexed into the City of Charleston October 13, 2015 (#2015-143), be zoned Single-Family Residential (SR-2) classification.*
5. *An ordinance authorizing the Mayor to execute the necessary documents to enter into that certain Agreement of Purchase and Sale between the City of Charleston ("Seller") and Abd El Salam Touma and Rasha Eleskandrany ("Buyers") for the sale of 2311 Delano Street bearing TMS parcel #464-01-00-074 in the City and County of Charleston, State of South Carolina for the sum of \$180,000.00, said Agreement of Purchase and Sale being marked as Exhibit A, attached hereto and incorporated by reference herein.*
6. *An ordinance to provide for the annexation of property known as 1847 Elsey Drive (0.44 acre) (TMS# 350-01-00-083), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7.*
7. *An ordinance to provide for the annexation of property known as Clements Ferry Road (19.02 acres) (a portion of TMS# 271-00-01-031), Cainhoy, Berkeley County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 1. (DEFERRED)*
8. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that Clements Ferry Road (Cainhoy) (approximately 19.02 acres) (a portion of TMS #271-00-01-031) (Council District 1), be zoned General Business (GB) classification. (DEFERRED)*
9. *An ordinance to provide for the annexation of property known as 2319 Savannah Highway (1.06 acres) (TMS# 310-06-00-114), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7. (DEFERRED)*
10. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2319 Savannah Highway (West Ashley) (approximately 1.06 acres) (TMS #310-06-00-114) (Council District 7), be zoned General Business (GB) classification. **(AS AMENDED)** (DEFERRED)*
11. *An ordinance to provide for the annexation of property known as Savannah Highway*

*(1.49 acres) (TMS# 350-05-00-039; 350-05-00-040 and 350-05-00-160), West Ashley, Charleston County, to the City of Charleston, and includes all public rights-of-way shown within the area annexed upon a map attached hereto and make it part of District 7. (DEFERRED)*

12. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that Savannah Highway (West Ashley) (approximately 1.49 acres) (TMS #350-05-00-039, 040 and 160) (Council District 7), be zoned General Business (GB) classification. (DEFERRED FOR PUBLIC HEARING)*

13. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding to Article 9 thereof a new Part 6 providing for a temporary moratorium until January 27, 2016, on the processing of development applications and issuing of permits for properties zoned Gathering Place (GP). (DEFERRED FOR PUBLIC HEARING)*

#### **L. Bills up for First Reading**

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 975 King Street and 6 Cleveland Street (North Central - Peninsula) (0.132 acre) (TMS #463-15-04-084) (Council District 3), be rezoned from General Business (GB) classification to Mixed Use/Workforce Housing (MU-1/WH) classification. *(DEFERRED)*

2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 76 Columbus Street (East Side - Peninsula) (approximately 0.229 acre) (TMS #459-05-04-093) (Council District 4), be rezoned from Diverse Residential (DR-2F) classification to General Business (GB) classification. ***(Requires  $\frac{3}{4}$  vote of City Council; Planning Commission recommended Limited Business (LB).) (DEFERRED)***

3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Murraywood Road (Johns Island) (approximately 1.80 acres) (a portion of TMS #312-00-00-026) (Council District 5), be rezoned from Single-Family Residential (SR-1) classification to Single and Two Family Residential (STR) classification. *(DEFERRED)*

#### **M. Miscellaneous Business:**

1. The next regular meeting of City Council will be December 15, 2015 at 5:00 p.m. at City Hall, 80 Broad Street.



01.)

# City of Charleston

Joseph P. Riley, Jr.  
Mayor

## PROCLAMATION

WHEREAS; The National Consortium for Academics and Sports uses the power of sports to affect positive social change in society; and

WHEREAS; The National Consortium for Academics and Sports changes lives and addresses issues of diversity, inclusion, gender, violence prevention, and critical decision-making; and

WHEREAS; on October 7, 2015, the National Consortium for Academics and Sports held its Giant Steps Awards banquet and presented the **1955 Cannon Street YMCA Little League All-Star Team** with its "Breaking Barriers Award" for the impact the team has had on society then and now;

NOW, THEREFORE, I, Joseph P. Riley, Jr., Mayor, City of Charleston, on behalf of Charleston City Council and all our citizens, do hereby extend to the **1955 Cannon Street YMCA Little League All-Star Team** our admiration and sincere congratulations and very best wishes for continued success in the years ahead.

IN WITNESS WHEREOF, I have hereunto set my Hand and caused the Seal of the City of Charleston to be affixed this \_\_\_\_ day of December, 2015.

\_\_\_\_\_  
Joseph P. Riley, Jr., Mayor





## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that pursuant to Section 6 of Ordinance No. 1996-18, the City Council of the City of Charleston, South Carolina, at its regular meeting on Tuesday, December 1, 2015, at 5:00 p.m. in Council Chambers at 80 Broad Street, in the City of Charleston, South Carolina, will conduct a public hearing for the purpose of receiving comments on how the proceeds of the funds generated by the one percent Municipal Accommodations fee imposed to meet the cost of capital improvements which are specifically beneficial to the tourism industry should be applied to defray such costs during the fiscal year 2016. It is proposed that such funds in the amount of \$3,200,000 and additional funds from Municipal Accommodations Tax Fund Balance in the amount of \$14,200 be applied to defray costs of tourism-related City facility projects, repairs/improvements and restorations.

A public hearing will also be held, pursuant to Section 6 of Ordinance No. 1996-56, for the purpose of receiving comments on how the proceeds of the funds generated by the one percent Municipal Accommodations Fee imposed to meet the cost of operational expenses specifically beneficial to the tourism industry should be applied during fiscal year 2016. It is proposed that such funds calculated at an estimated \$3,200,000 and additional funds from Municipal Accommodations Tax Fund Balance at an estimated amount of \$14,200 shall be used to defray tourism-related operational costs including the salaries of police officers, parking enforcement officers, and other personnel required by the tourism industry.

At the time and place fixed for said public hearing, all persons who appear will be given an opportunity to express their views.

Vanessa Turner-Maybank  
Clerk of Council

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL interpretation, or other accommodation please contact Janet Schumacher (843) 724-3730 or mail to [schumacherj@charleston-sc.gov](mailto:schumacherj@charleston-sc.gov) three days prior to the meeting.

Please insert as a Display Ad in the Post Courier on Sunday, November 15, 2015  
Charge to Account: PC103190. **Blanket PO# PR150036**

Please insert in the Chronicle as a Display Ad on Wednesday, November 18, 2015.  
**Please provide an affidavit of publication for all public hearings. PR Number PR155941**

**NOTICE OF PUBLIC HEARING  
CITY OF CHARLESTON, SC  
2016 BUDGET**

NOTICE IS HEREBY GIVEN that the City Council of the City of Charleston, South Carolina, at its regular meeting on December 1, 2015, beginning at 5:00 p.m. in Council Chambers at 80 Broad St., in the City of Charleston, South Carolina, will conduct a public hearing on the City's 2016 budget and give first reading to an ordinance to adopt the budget. The total projected revenues and operating expenditures for the present and next fiscal years are as follows:

**GENERAL FUND AND ENTERPRISE FUNDS**

	<u>2015 BUDGET</u>	<u>2016 BUDGET</u>
Revenues and other Financing Sources	\$181,452,856	\$188,593,513
Expenditures	\$181,452,856	\$188,593,513

The proposed change from the 2015 budget to the 2016 budget is \$7,140,657 or a 3.94% increase. The current fiscal year millage rate for general operations is 78.1 mills. The proposed 2016 millage rate will be 78.1 mills. The total projected property tax revenue for 2016 is estimated to be \$67,689,070.

VANESSA TURNER-MAYBANK  
Clerk of Council

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL interpretation, or other accommodation please contact Janet Schumacher at (843) 724-3730 or mail to [schumacherj@charleston-sc.gov](mailto:schumacherj@charleston-sc.gov) three days prior to the meeting.

Please insert as a Display Ad in the Post Courier on **Sunday, November 15, 2015**. Please charge to account PC103190. **Blanket PO# PR150036**

Please insert as a Display Ad in the Chronicle on Wednesday, November 18, 2015. **Please provide an affidavit of publication for all public hearings. PR Number PR155940**



Ratification  
Number 2015 -

## AN ORDINANCE

PROVIDING FOR THE DISTRIBUTION OF FUNDS FOR FISCAL YEAR 2016 GENERATED BY THE MUNICIPAL ACCOMMODATIONS FEE AS REQUIRED BY ORDINANCE NO. 1996-18.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON:

### SECTION 1. Findings

It is hereby found and declared by City Council of the City of Charleston ("City Council"), the governing body of the City of Charleston (the "City"):

1. By Ordinance adopted February 27, 1996, bearing ratification number 1996-18, City Council established a Municipal Accommodations Fee in an amount equal to one percent, the proceeds of which as provided by Section 6 Ordinance No. 1996-18, are to be "expended only for the purpose of defraying the cost of capital improvement beneficial to the tourism industry..."

2. Section 6 further provides that the costs to be funded in part by this fee are to be established by ordinance adopted by City Council after a public hearing.

3. The Accommodations Fee will be collected during the entire term of the fiscal year 2016, during which certain expenses will be incurred relating to capital improvements beneficial to the tourism industry.

4. City Council is now minded to establish by this Ordinance the specific capital costs to be funded by the Accommodations Fee in fiscal year 2016 as provided by Section 6 of Ordinance No. 1996-18. The public hearing required to be held was advertised in the Post and Courier on November 15, 2015 and the hearing conducted on December 1, 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON, AS FOLLOWS:

1. A portion of the funds generated by the one percent Municipal Accommodations Fee during fiscal year 2016 to meet the cost of capital improvements beneficial to the tourism industry will be applied to defray the following costs:

Energy Performance Contract (transfer to Energy Performance Fund)	292,184
Low Battery Refurbishment	2,907,816
Collection fees (funded by current and prior years interest income)	16,000
Total	\$ 3,216,000

The funds to be spent in 2016 include \$3,200,000 of estimated 2016 revenue, \$1,800 of estimated interest income and \$14,200 of Fund Balance. Any excess Municipal Accommodations Fee revenues may be used for the Low Battery project.

SECTION 2. This Ordinance shall become effective on January 1, 2016.

Ratified in City Council this 15 day of December, In the Year of our Lord 2015, and in the 240<sup>th</sup> Year of the Independence of the United States of America.

\_\_\_\_\_  
Joseph P. Riley, Jr. Mayor, City of Charleston

ATTEST:

\_\_\_\_\_  
Vanessa Turner-Maybank, Clerk of Council



Ratification  
Number 2015

## AN ORDINANCE

PROVIDING FOR THE DISTRIBUTION OF FUNDS FOR FISCAL YEAR 2016 GENERATED BY THE MUNICIPAL ACCOMMODATIONS FEE AS REQUIRED BY ORDINANCE NO. 1996-56.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON:

### SECTION 1. Findings

It is hereby found and declared by City Council of the City of Charleston ("City Council"), the governing body of the City of Charleston (the "City"):

1. By Ordinance adopted March 12, 1996, bearing ratification number 1996-56, City Council established a Municipal Accommodations Fee in an amount equal to one percent, the proceeds of which as provided by Section 8 Ordinance No. 1996-56, are to be "expended only for the purpose of defraying the cost of operational expenses beneficial to the tourism industry..."

2. Section 8 further provides that the costs to be funded in part by this fee are to be established by ordinance adopted by City Council after a public hearing.

3. The Accommodations Fee will be collected during the entire term of the fiscal year 2016. In adopting Ordinance 1996-56, City Council took the further action of reducing the millage rate set forth in the Budget Ordinance by 2 mills. Such reduction was based on recognition of the fact that funds generated by the fee established by Ordinance No. 1996-56 could be applied to tourism-related operational expenses which, in the absence of the fee, would have to be paid by the taxpayers.

4. City Council is now minded to establish by this Ordinance the specific nature of the operational costs to be funded during fiscal year 2016 by the Accommodations Fee as provided by Section 8 of Ordinance No. 1996-56. It is specifically found that such costs provide a special benefit to the tourism industry. The public hearing required to be held was advertised in the Post and Courier on November 15, 2015, and the hearing conducted on December 1, 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON, AS FOLLOWS:

1. Funds generated by the one percent Municipal Accommodations Fee imposed to meet the cost of operational expenses beneficial to the tourism industry will be applied during the fiscal year 2016 to defray tourism-related operational costs including the salaries of police officers, parking enforcement personnel and other tourism related operating expenses in the amount of \$3,216,000, consisting of \$3,200,000 in estimated 2016 revenue, \$1,800 in interest income, and \$14,200 in Fund Balance.

SECTION 2. This Ordinance shall become effective on January 1, 2016.

Ratified in City Council this 15<sup>th</sup> day of December, In the Year of our Lord 2015, and in the 240<sup>th</sup> Year of the Independence of the United States of America.

\_\_\_\_\_  
Joseph P. Riley, Jr. Mayor, City of Charleston

ATTEST:

\_\_\_\_\_  
Vanessa Turner-Maybank, Clerk of Council



Ratification  
Number: 2015-

### AN ORDINANCE

To make appropriations to meet the liabilities of the City of Charleston for the fiscal year ending December 31, 2016.

Be it ordained by the Mayor and City Council members of Charleston in City Council assembled:

**Section 1.** That the following sums of money be, and are hereby appropriated for the purposes hereinafter mentioned, to-wit:

#### GENERAL GOVERNMENT

**Div. #    Div. Name**

**DEPARTMENT OF CLERK OF COUNCIL**

100000	City Council	
	Personnel	633,878
	Fringe Benefits	286,907
	Operating	106,768
	Capital	-
	<b>Total</b>	<b>1,027,553</b>
101000	Records Management	
	Personnel	82,158
	Fringe Benefits	30,894
	Operating	9,940
	Capital	-
	<b>Total</b>	<b>122,992</b>

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

110000	Municipal Court	
	Personnel	1,130,685
	Fringe Benefits	436,342
	Operating	307,509
	Capital	-
	<b>Total</b>	<b>1,874,536</b>

**EXECUTIVE DEPARTMENT**

120000	Mayor's Office	
	Personnel	615,757
	Fringe Benefits	170,975
	Operating	16,500
	Capital	-
	<b>Total</b>	<b>803,232</b>

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

130000	Budget and Finance Administration	
	Personnel	685,678
	Fringe Benefits	189,131
	Operating	59,810
	Capital	-
	<b>Total</b>	<b>934,619</b>
131000	Finance	
	Personnel	932,410
	Fringe Benefits	330,214
	Operating	159,036
	Capital	-
	<b>Total</b>	<b>1,421,660</b>
132000	Revenue Collections	
	Personnel	417,956
	Fringe Benefits	155,729
	Operating	411,185
	Capital	-
	<b>Total</b>	<b>984,870</b>
133000	Budget and Management	
	Personnel	407,069
	Fringe Benefits	131,064
	Operating	15,600
	Capital	-
	<b>Total</b>	<b>553,733</b>
134000	Procurement	
	Personnel	249,614
	Fringe Benefits	85,719
	Operating	114,050
	Capital	-
	<b>Total</b>	<b>449,383</b>
136000	Process/Service Improvement	
	Personnel	120,715
	Fringe Benefits	37,692
	Operating	80,580
	Capital	-
	<b>Total</b>	<b>238,987</b>
137000	Permit Center	
	Personnel	233,571
	Fringe Benefits	75,079
	Operating	26,130
	Capital	-
	<b>Total</b>	<b>334,780</b>

**EXECUTIVE DEPARTMENT**

140000	Internal Auditing	
	Personnel	118,519
	Fringe Benefits	37,872
	Operating	16,400
	Capital	-
	<b>Total</b>	<b>172,791</b>
141000	Corporation Counsel	
	Personnel	697,770
	Fringe Benefits	201,975
	Operating	575,490
	Capital	-
	<b>Total</b>	<b>1,475,235</b>
142000	Prosecutor's Office	
	Personnel	275,100
	Fringe Benefits	90,611
	Operating	31,757
	Capital	-
	<b>Total</b>	<b>397,468</b>

**DEPARTMENT OF HUMAN RESOURCES**

150000	Human Resources	
	Personnel	758,760
	Fringe Benefits	259,067
	Operating	133,815
	Capital	-
	<b>Total</b>	<b>1,151,642</b>

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

151000	Safety Management	
	Personnel	114,755
	Fringe Benefits	37,150
	Operating	98,650
	Capital	-
	<b>Total</b>	<b>250,555</b>

**DEPARTMENT OF INFORMATION TECHNOLOGY**

161000	Information Technology	
	Personnel	1,085,172
	Fringe Benefits	359,127
	Operating	1,750,725
	Capital	78,004
	<b>Total</b>	<b>3,273,028</b>
162000	GIS	
	Personnel	316,722
	Fringe Benefits	106,163
	Operating	218,620
	Capital	-
	<b>Total</b>	<b>641,505</b>



163000	Telecommunications		
	Personnel	123,462	
	Fringe Benefits	46,386	
	Operating	708,780	
	Capital	-	
	<b>Total</b>	<b>878,628</b>	
<b>DEPARTMENT OF PARKS</b>			
170000	Electrical		
	Personnel	440,665	
	Fringe Benefits	160,206	
	Operating	3,569,133	
	Capital	-	
	<b>Total</b>	<b>4,170,004</b>	
170100	Facilities Maintenance		
	Personnel	464,372	
	Fringe Benefits	179,884	
	Operating	1,168,378	
	Capital	-	
	<b>Total</b>	<b>1,812,634</b>	
<b>DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS</b>			
171000	City Hall		
	Personnel	-	
	Fringe Benefits	-	
	Operating	125,500	
	Capital	-	
	<b>Total</b>	<b>125,500</b>	
<b>DEPARTMENT OF HUMAN RESOURCES</b>			
171100	Mailroom		
	Personnel	24,229	
	Fringe Benefits	12,215	
	Operating	12,115	
	Capital	-	
	<b>Total</b>	<b>48,559</b>	
<b>DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS</b>			
171300	116 Meeting Street		
	Personnel	-	
	Fringe Benefits	-	
	Operating	56,650	
	Capital	-	
	<b>Total</b>	<b>56,650</b>	
171310	Gaillard Complex		
	Personnel	-	
	Fringe Benefits	-	
	Operating	831,043	
	Capital	-	
	<b>Total</b>	<b>831,043</b>	

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

171500	Gallery at Waterfront Park		
	Personnel	-	
	Fringe Benefits	-	
	Operating	71,350	
	Capital	-	
	<b>Total</b>	<b>71,350</b>	
171600	Lockwood Municipal Building		
	Personnel	-	
	Fringe Benefits	-	
	Operating	262,630	
	Capital	8,000	
	<b>Total</b>	<b>270,630</b>	
171700	50 Broad Street		
	Personnel	-	
	Fringe Benefits	-	
	Operating	21,250	
	Capital	-	
	<b>Total</b>	<b>21,250</b>	
<b>NON-DEPARTMENTAL</b>			
180000	Pensions		
	Personnel	-	
	Fringe Benefits	309,962	
	Operating	-	
	Capital	-	
	<b>Total</b>	<b>309,962</b>	
181000	Employee Benefits		
	Personnel	-	
	Fringe Benefits	4,250,781	
	Operating	11,000	
	Capital	-	
	<b>Total</b>	<b>4,261,781</b>	
182000	General Insurance		
	Personnel	-	
	Fringe Benefits	-	
	Operating	2,361,853	
	Capital	-	
	<b>Total</b>	<b>2,361,853</b>	
900000	Non-Departmental		
	Personnel	(2,747,458)	
	Fringe Benefits	65,000	
	Operating	2,266,767	
	Capital	-	
	<b>Total</b>	<b>(415,691)</b>	
<b>Total General Government - General Fund</b>		<b>30,912,722</b>	

**PUBLIC SAFETY****POLICE DEPARTMENT**

## 200000 Police

Personnel	28,515,365
Fringe Benefits	10,262,871
Operating	5,839,218
Capital	130,000
<b>Total</b>	<b>44,747,454</b>

## 203000 Police Radio Shop

Personnel	195,024
Fringe Benefits	67,682
Operating	569,883
Capital	-
<b>Total</b>	<b>832,589</b>

## 206000 Community Outreach

Transfer Out	1,500
Personnel	-
Fringe Benefits	-
Operating	86,160
Capital	-
<b>Total</b>	<b>87,660</b>

## 207000 Victims Assistance

Personnel	110,125
Fringe Benefits	36,262
Operating	13,425
Capital	-
<b>Total</b>	<b>159,812</b>

**FIRE DEPARTMENT**

## 210000 Fire

Personnel	17,957,920
Fringe Benefits	6,489,404
Operating	2,426,599
Capital	192,500
<b>Total</b>	<b>27,066,423</b>

## 211000 Fire Department Training

Personnel	466,725
Fringe Benefits	161,766
Operating	482,897
Capital	10,850
<b>Total</b>	<b>1,122,238</b>

## 213000 Fire Marshal's Office

Personnel	644,027
Fringe Benefits	213,422
Operating	45,990
Capital	-
<b>Total</b>	<b>903,439</b>

**DEPARTMENT OF PUBLIC SERVICE**

220000	Engineering	
	Personnel	388,445
	Fringe Benefits	142,620
	Operating	48,690
	Capital	-
	<b>Total</b>	<b>579,755</b>

221000	Inspections	
	Personnel	866,099
	Fringe Benefits	332,536
	Operating	74,607
	Capital	-
	<b>Total</b>	<b>1,273,242</b>

**DEPARTMENT OF LIVABILITY AND TOURISM**

225000	Livability	
	Personnel	529,828
	Fringe Benefits	215,139
	Operating	128,010
	Capital	-
	<b>Total</b>	<b>872,977</b>

**DEPARTMENT OF TRAFFIC AND TRANSPORTATION**

230000	Traffic and Transportation	
	Personnel	983,792
	Fringe Benefits	370,330
	Operating	1,445,972
	Capital	-
	<b>Total</b>	<b>2,800,094</b>

**DEPARTMENT OF INFORMATION TECHNOLOGY**

235000	Public Safety Information Technology	
	Personnel	-
	Fringe Benefits	-
	Operating	1,686,220
	Capital	99,949
	<b>Total</b>	<b>1,786,169</b>

<b>Total Public Safety - General Fund</b>	<b>82,231,852</b>
---	-------------------

**PUBLIC SERVICE****DEPARTMENT OF PUBLIC SERVICE**

300000	Public Service Administration	
	Personnel	328,425
	Fringe Benefits	93,280
	Operating	36,120
	Capital	-
	<b>Total</b>	<b>457,825</b>

311000	Streets and Sidewalks Administration	
	Personnel	174,121
	Fringe Benefits	63,671
	Operating	507,200
	Capital	-
	<b>Total</b>	<b>744,992</b>
312000	Streets and Sidewalks	
	Personnel	934,863
	Fringe Benefits	421,461
	Operating	240,100
	Capital	-
	<b>Total</b>	<b>1,596,424</b>
321000	Environmental Services Administration	
	Personnel	297,149
	Fringe Benefits	109,972
	Operating	159,800
	Capital	-
	<b>Total</b>	<b>566,921</b>
322000	Garbage Collection	
	Personnel	1,397,429
	Fringe Benefits	585,869
	Operating	1,667,176
	Capital	-
	<b>Total</b>	<b>3,650,474</b>
323000	Trash Collection	
	Personnel	1,072,271
	Fringe Benefits	440,263
	Operating	45,975
	Capital	-
	<b>Total</b>	<b>1,558,509</b>
324000	Street Sweeping	
	Personnel	678,281
	Fringe Benefits	341,969
	Operating	37,002
	Capital	-
	<b>Total</b>	<b>1,057,252</b>
<b>EXECUTIVE DEPARTMENT</b>		
331000	Fleet Management	
	Personnel	739,140
	Fringe Benefits	285,510
	Operating	2,573,797
	Capital	88,062
	<b>Total</b>	<b>3,686,509</b>
	<b>Total Public Service - General Fund</b>	<b>13,318,906</b>

**URBAN AND COMMUNITY DEVELOPMENT****DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

410000	Housing and Community Development	
	Personnel	497,931
	Fringe Benefits	161,978
	Operating	20,110
	Capital	-
	<b>Total</b>	<b>680,019</b>

**DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY**

415000	Planning, Preservation and Sustainability Admin.	
	Personnel	437,745
	Fringe Benefits	129,386
	Operating	147,165
	Capital	-
	<b>Total</b>	<b>714,296</b>

420000	Preservation Division	
	Personnel	645,659
	Fringe Benefits	222,236
	Operating	38,885
	Capital	-
	<b>Total</b>	<b>906,780</b>

421000	Design Division	
	Personnel	125,254
	Fringe Benefits	37,741
	Operating	32,192
	Capital	-
	<b>Total</b>	<b>195,187</b>

430000	Planning and Sustainability	
	Personnel	205,402
	Fringe Benefits	69,672
	Operating	59,788
	Capital	-
	<b>Total</b>	<b>334,862</b>

**Total Urban and Community Development - General Fund** **2,831,144**

**CULTURE AND RECREATION****EXECUTIVE DEPARTMENT**

500000	Cultural Affairs	
	Personnel	360,385
	Fringe Benefits	129,671
	Operating	37,830
	Capital	-
	<b>Total</b>	<b>527,886</b>

**DEPARTMENT OF RECREATION**

510000	Recreation Administration		
	Personnel	202,369	
	Fringe Benefits	69,092	
	Operating	108,425	
	Capital	-	
	<b>Total</b>	<b>379,886</b>	
511000	Recreation Athletics		
	Personnel	528,094	
	Fringe Benefits	167,708	
	Operating	-	
	Capital	-	
	<b>Total</b>	<b>695,802</b>	
511200	Youth Sports		
	Personnel	-	
	Fringe Benefits	-	
	Operating	468,510	
	Capital	-	
	<b>Total</b>	<b>468,510</b>	
511300	Adult Sports		
	Personnel	-	
	Fringe Benefits	-	
	Operating	84,510	
	Capital	-	
	<b>Total</b>	<b>84,510</b>	
513000	Recreation Programs		
	Personnel	626,160	
	Fringe Benefits	160,009	
	Operating	189,575	
	Capital	-	
	<b>Total</b>	<b>975,744</b>	
513100	Environmental Programs		
	Personnel	-	
	Fringe Benefits	-	
	Operating	6,990	
	Capital	-	
	<b>Total</b>	<b>6,990</b>	
513300	Playground Programs		
	Personnel	-	
	Fringe Benefits	-	
	Operating	43,869	
	Capital	-	
	<b>Total</b>	<b>43,869</b>	

513400	Community Programs		
	Personnel		-
	Fringe Benefits		-
	Operating	31,190	
	Capital		-
	<b>Total</b>	<b>31,190</b>	
515000	Recreation Facilities		
	Personnel	94,883	
	Fringe Benefits	25,670	
	Operating	2,185	
	Capital		-
	<b>Total</b>	<b>122,738</b>	
515010	James Island Recreation Center		
	Personnel	234,470	
	Fringe Benefits	78,633	
	Operating	171,560	
	Capital		-
	<b>Total</b>	<b>484,663</b>	
515020	St. Julian Devine		
	Personnel	126,110	
	Fringe Benefits	37,350	
	Operating	43,935	
	Capital		-
	<b>Total</b>	<b>207,395</b>	
515025	Bees Landing Recreation Center		
	Personnel	314,219	
	Fringe Benefits	92,663	
	Operating	226,580	
	Capital		-
	<b>Total</b>	<b>633,462</b>	
515030	Arthur Christopher Community Center		
	Personnel	221,202	
	Fringe Benefits	69,926	
	Operating	146,616	
	Capital		-
	<b>Total</b>	<b>437,744</b>	
515035	Shaw Community Center		
	Personnel	100,680	
	Fringe Benefits	33,375	
	Operating	17,860	
	Capital		-
	<b>Total</b>	<b>151,915</b>	
515040	West Ashley Park		
	Personnel		-
	Fringe Benefits		-
	Operating	40,465	
	Capital		-
	<b>Total</b>	<b>40,465</b>	



515045	Daniel Island Programs		
	Personnel	120,568	
	Fringe Benefits	38,062	
	Operating	64,190	
	Capital	-	
	<b>Total</b>	<b>222,820</b>	
516000	Aquatics		
	Personnel	881,370	
	Fringe Benefits	281,709	
	Operating	252,095	
	Capital	-	
	<b>Total</b>	<b>1,415,174</b>	
516010	WL Stephens Pool		
	Personnel	-	
	Fringe Benefits	-	
	Operating	1,000	
	Capital	-	
	<b>Total</b>	<b>1,000</b>	
516020	MLK Pool		
	Personnel	-	
	Fringe Benefits	-	
	Operating	1,000	
	Capital	-	
	<b>Total</b>	<b>1,000</b>	
516030	Herbert Hasell Pool		
	Personnel	-	
	Fringe Benefits	-	
	Operating	200	
	Capital	-	
	<b>Total</b>	<b>200</b>	
516035	James Island Pool		
	Personnel	-	
	Fringe Benefits	-	
	Operating	750	
	Capital	-	
	<b>Total</b>	<b>750</b>	
516040	Swim Team		
	Personnel	-	
	Fringe Benefits	-	
	Operating	29,760	
	Capital	-	
	<b>Total</b>	<b>29,760</b>	

517000	Tennis		
	Personnel	486,807	
	Fringe Benefits	138,628	
	Operating	-	
	Capital	-	
	<b>Total</b>	<b>625,435</b>	
517010	Charleston Tennis Center		
	Personnel	-	
	Fringe Benefits	-	
	Operating	163,018	
	Capital	-	
	<b>Total</b>	<b>163,018</b>	
517020	Maybank Tennis Center		
	Personnel	-	
	Fringe Benefits	-	
	Operating	49,191	
	Capital	-	
	<b>Total</b>	<b>49,191</b>	
517030	Inner City Youth Tennis		
	Personnel	-	
	Fringe Benefits	-	
	Operating	2,675	
	Capital	-	
	<b>Total</b>	<b>2,675</b>	
518000	Gymnastics		
	Personnel	192,754	
	Fringe Benefits	59,461	
	Operating	-	
	Capital	-	
	<b>Total</b>	<b>252,215</b>	
518010	Gymnastics Training Center		
	Personnel	-	
	Fringe Benefits	-	
	Operating	19,545	
	Capital	-	
	<b>Total</b>	<b>19,545</b>	
<b>DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS</b>			
518550	Maritime Center		
	Personnel	207,652	
	Fringe Benefits	92,799	
	Operating	358,525	
	Capital	-	
	<b>Total</b>	<b>658,976</b>	

**DEPARTMENT OF PARKS**

520000	Capital Projects		
	Personnel	502,239	
	Fringe Benefits	149,326	
	Operating	336,908	
	Capital	-	
	<b>Total</b>	<b>988,473</b>	
521000	Parks Administration		
	Personnel	808,858	
	Fringe Benefits	267,999	
	Operating	171,331	
	Capital	-	
	<b>Total</b>	<b>1,248,188</b>	
522000	Grounds Maintenance		
	Personnel	3,041,566	
	Fringe Benefits	1,279,598	
	Operating	1,374,859	
	Capital	32,500	
	<b>Total</b>	<b>5,728,523</b>	
523000	Construction		
	Personnel	419,389	
	Fringe Benefits	171,253	
	Operating	136,500	
	Capital	-	
	<b>Total</b>	<b>727,142</b>	
526000	Parks Maintenance Projects		
	Personnel	-	
	Fringe Benefits	-	
	Operating	101,585	
	Capital	-	
	<b>Total</b>	<b>101,585</b>	

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

531000	Dock Street Theatre		
	Personnel	309,148	
	Fringe Benefits	104,577	
	Operating	189,570	
	Capital	-	
	<b>Total</b>	<b>603,295</b>	

**Total Culture and Recreation - General Fund** **18,131,734**

**COMMUNITY PROMOTIONS****DEPARTMENT OF LIVABILITY AND TOURISM**

600000	Tourism	
	Personnel	175,862
	Fringe Benefits	71,568
	Operating	187,680
	Capital	-
	<b>Total</b>	<b>435,110</b>
601000	Tourism Gatekeeper System	
	Personnel	59,785
	Fringe Benefits	18,951
	Operating	7,540
	Capital	-
	<b>Total</b>	<b>86,276</b>

**NON-DEPARTMENTAL**

620000	Community Promotions	
	Personnel	-
	Fringe Benefits	-
	Operating	194,550
	Capital	-
	<b>Total</b>	<b>194,550</b>
	<b>Total Community Promotions - General Fund</b>	<b>715,936</b>

**HEALTH AND WELFARE****EXECUTIVE DEPARTMENT**

700000	Public Information	
	Personnel	126,210
	Fringe Benefits	39,348
	Operating	13,660
	Capital	-
	<b>Total</b>	<b>179,218</b>
701000	Mayor's Office for Children, Youth, and Families	
	Personnel	144,890
	Fringe Benefits	50,017
	Operating	18,824
	Capital	-
	<b>Total</b>	<b>213,731</b>

**NON-DEPARTMENTAL**

710000	Assistance Programs	
	Personnel	-
	Fringe Benefits	-
	Operating	453,850
	Capital	-
	<b>Total</b>	<b>453,850</b>
	<b>Total Health and Welfare - General Fund</b>	<b>846,799</b>

**BUSINESS DEVELOPMENT AND ASSISTANCE****EXECUTIVE DEPARTMENT**

810000	Technology Business Development	
	Personnel	147,385
	Fringe Benefits	43,411
	Operating	347,441
	Capital	-
	<b>Total</b>	<b>538,237</b>

**DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY**

820000	Business and Neighborhood Services	
	Personnel	265,894
	Fringe Benefits	88,845
	Operating	6,300
	Capital	-
	<b>Total</b>	<b>361,039</b>

**EXECUTIVE DEPARTMENT**

153000	Youth Programs	
	Personnel	90,402
	Fringe Benefits	19,374
	Operating	8,625
	Capital	-
	<b>Total</b>	<b>118,401</b>

**Total Business Development and Assist. - General Fund** **1,017,677**

**OTHER**

920010	Capital Leases	
	Personnel	-
	Fringe Benefits	-
	Operating	4,943,742
	Capital	-
	<b>Total</b>	<b>4,943,742</b>

920131	Bond, GO 2014 Ref 4.375M GF	
	Personnel	-
	Fringe Benefits	-
	Operating	798,350
	Capital	-
	<b>Total</b>	<b>798,350</b>

920145	Bond, GO 2010 Series A 1.9M	
	Personnel	-
	Fringe Benefits	-
	Operating	714,700
	Capital	-
	<b>Total</b>	<b>714,700</b>

920150	Bond, GO 2010 Series B 17.1M		
	Personnel	-	
	Fringe Benefits	-	
	Operating	624,188	
	Capital	-	
	<b>Total</b>	<b>624,188</b>	
920160	Bond, GO 2014 22M		
	Personnel	-	
	Fringe Benefits	-	
	Operating	2,207,839	
	Capital	-	
	<b>Total</b>	<b>2,207,839</b>	
920200	Note, 50 Broad Street		
	Personnel	-	
	Fringe Benefits	-	
	Operating	136,327	
	Capital	-	
	<b>Total</b>	<b>136,327</b>	
	<b>Total Other - General Fund</b>	<b>9,425,146</b>	
<b>TRANSFERS OUT</b>			
932000	General Fund Transfers Out		
	Transfers Out	877,651	
	Personnel	-	
	Fringe Benefits	-	
	Operating	-	
	Capital	-	
	<b>Total</b>	<b>877,651</b>	
	<b>Total Transfers Out - General Fund</b>	<b>877,651</b>	
<b>TOTAL GENERAL FUND APPROPRIATION:</b>		<b>160,309,567</b>	

**ENTERPRISE FUNDS**

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

020010	Old Slave Mart Museum		
	Personnel	97,943	
	Fringe Benefits	36,710	
	Operating	56,322	
	Capital	-	
	<b>Total</b>	<b>190,975</b>	
021010	City Market		
	Personnel	-	
	Fringe Benefits	-	
	Operating	1,593,052	
	Capital	60,000	
	<b>Total</b>	<b>1,653,052</b>	
021920	Bond, Revenue 2010 2.1M CM		
	Personnel	-	
	Fringe Benefits	-	
	Operating	185,256	
	Capital	-	
	<b>Total</b>	<b>185,256</b>	
021930	Bond, Revenue 2010A 3.4M CM		
	Personnel	-	
	Fringe Benefits	-	
	Operating	317,635	
	Capital	-	
	<b>Total</b>	<b>317,635</b>	
022005	Parking Management Services		
	Personnel	1,005,861	
	Fringe Benefits	481,194	
	Operating	175,482	
	Capital	-	
	<b>Total</b>	<b>1,662,537</b>	
022010	Parking Tickets Revenue Collections		
	Personnel	215,356	
	Fringe Benefits	104,392	
	Operating	163,923	
	Capital	-	
	<b>Total</b>	<b>483,671</b>	
022016	Parking Facilities Administration-ABM		
	Transfer Out	283,619	
	Personnel	-	
	Fringe Benefits	-	
	Operating	8,731,102	
	Capital	5,098,000	
	<b>Total</b>	<b>14,112,721</b>	

022035	Parking Lot - B.A.M.	
	Personnel	-
	Fringe Benefits	-
	Operating	3,750
	Capital	-
	<b>Total</b>	<b>3,750</b>

#### DEPARTMENT OF TRAFFIC AND TRANSPORTATION

022045	Parking Meters	
	Personnel	177,148
	Fringe Benefits	70,029
	Operating	454,193
	Capital	-
	<b>Total</b>	<b>701,370</b>

#### DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS

022075	Parking Garage - Cumberland Street	
	Personnel	-
	Fringe Benefits	-
	Operating	267,000
	Capital	-
	<b>Total</b>	<b>267,000</b>

#### NON-DEPARTMENTAL

022940	Bond SCE&G Revenue 1997 16.6M	
	Personnel	-
	Fringe Benefits	-
	Operating	1,220,655
	Capital	-
	<b>Total</b>	<b>1,220,655</b>

022942	Bond, GO 2009 18.1M	
	Personnel	-
	Fringe Benefits	-
	Operating	1,368,750
	Capital	-
	<b>Total</b>	<b>1,368,750</b>

022956	Bond, IPRB 26.27M 2015-A PK	
	Personnel	-
	Fringe Benefits	-
	Operating	221,632
	Capital	-
	<b>Total</b>	<b>221,632</b>

022957	Bond, IPRB 5M 2015-B PK	
	Personnel	-
	Fringe Benefits	-
	Operating	1,545,605
	Capital	-
	<b>Total</b>	<b>1,545,605</b>



**DEPARTMENT OF PARKS**

023010	JPR, Jr. Ballpark	
	Transfer Out	40,264
	Personnel	52,850
	Fringe Benefits	19,149
	Operating	791,343
	Capital	-
	<b>Total</b>	<b>903,606</b>

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

024010	Angel Oak	
	Personnel	74,154
	Fringe Benefits	23,103
	Operating	127,793
	Capital	8,000
	<b>Total</b>	<b>233,050</b>

027010	Charleston Visitor Center	
	Transfer Out	9,244
	Personnel	445,068
	Fringe Benefits	193,310
	Operating	464,551
	Capital	20,000
	<b>Total</b>	<b>1,132,173</b>

**DEPARTMENT OF RECREATION**

028010	Municipal Golf Course	
	Transfer Out	396
	Personnel	736,890
	Fringe Benefits	281,649
	Operating	771,573
	Capital	-
	<b>Total</b>	<b>1,790,508</b>

028015	Municipal Golf Course Construction	
	Transfer Out	-
	Personnel	-
	Fringe Benefits	-
	Operating	-
	Capital	290,000
	<b>Total</b>	<b>290,000</b>

**TOTAL ENTERPRISE FUND APPROPRIATION: 28,283,946**

**TOTAL APPROPRIATION: 188,593,513**

**Section 2.** The above mentioned appropriations shall be expended according to Sections 2-269 and 2-270 of the Code of the City of Charleston and schedules approved by the Committee on Ways and Means. When it becomes necessary to make a transfer within any department, miscellaneous appropriation above or operating transfers between funds, such transfers shall be made only upon the approval of the Chief Financial Officer or Deputy Chief Financial Officer provided, however, that they shall refer transfers in excess of \$40,000 to the Ways and Means Committee for authorization. Encumbrances are considered reappropriated in the ensuing year and are inclusive in the overall budget for the ensuing year.

**Section 3.** The above appropriations are on a basis of twelve (12) months, and are effective as of January 1, 2016, but said appropriations for salaries and operations are subject to cancellation or amendment by City Council as any emergency may make necessary.

**Section 4.** The Mayor is hereby empowered in any emergency and for increased efficiency in administration of government or in the event of any vacancies in any department or division, to transfer any individual or individuals on the payroll from one department or division to another, and any funds from one department, division or administrative function to another.

**Section 5.** The Chief Financial Officer is hereby authorized to refer for final approval any proposed expenditures for salaries or supplies submitted by any department, board, or commission to the Mayor or the Committee on Ways and Means if, in his judgment such referral is advisable.

**Section 6.** That the Emergency Fund shall be allocated by the Mayor, the Chief Financial Officer or the Deputy Chief Financial Officer for improvements, adjustments and emergencies provided, however, that allocations in excess of \$40,000 shall be referred to the Committee on Ways and Means for authorization.

**Section 7.** That if any section, item or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining sections, items and portions hereof, which shall remain in full force and effect.

**Section 8.** All Ordinances and parts of Ordinances in conflict with this Ordinance shall be, and the same hereby are repealed only so far as they are in conflict herewith.

**Section 9.** This Ordinance shall take effect as of January 1, 2016.

Ratified in City Council this 15th day of December, in the Year of Our Lord, 2015, and in the 240<sup>th</sup> Year of the Independence of the United States of America.

**ATTEST:**

---

Joseph P. Riley, Jr., Mayor

---

Vanessa Turner-Maybank, Clerk of Council



Ratioation  
Number: 2015-

E4

### AN ORDINANCE

To raise funds for the fiscal year ending December 31, 2016 and to meet the appropriation of \$188,593,513 authorized by ordinance 2015-\_\_\_, ratified 15th day of December, 2015.

Be it ordained by the Mayor and Council members of Charleston, in the City Council assembled.

**Section 1.** The revenues of the City government applicable to the financing of the appropriations have been estimated and fixed as shown in the following items:

#### **GENERAL FUND:**

Item 1.	Property Taxes	\$ 85,318,670
	Less Local Option Sales Tax Credit	\$ (17,629,600)
	<b>Total</b>	<b>\$ 67,689,070</b>
Item 2.	Licenses	\$ 30,267,500
Item 3.	Sales and User Charges	\$ 553,400
Item 4.	Permits and Fees	\$ 4,576,859
Item 5.	Rents and Concessions	\$ 1,616,109
Item 6.	Fines and Forfeitures	\$ 700,000
Item 7.	Penalties and Costs	\$ 713,981
Item 8.	State of South Carolina	\$ 20,874,346
Item 9.	Recreational Facilities	\$ 1,611,355
Item 10.	Franchise Tax	\$ 14,667,000
Item 11.	Commissioners of Public Works	\$ 1,095,000
Item 12.	Miscellaneous Income	\$ 1,313,168
Item 13.	Interest Income	\$ 77,686
Item 14.	Federal Programs	\$ 202,518
	Total General Fund	\$ 145,957,992
	Total General Fund - Transfers In	\$ 8,747,997
	Total General Fund - Other Financing Sources	\$ 427,000
	<b>Total General Fund Revenues and Financing Sources</b>	<b>\$ 155,132,989</b>

#### **ENTERPRISE FUNDS:**

Item 15.	Angel Oak	\$ 233,050
Item 16.	Charleston Visitor Center	\$ 1,132,173
Item 17.	City Market	\$ 2,246,200
Item 18.	Joseph P. Riley, Jr. Ball Park	\$ 779,200
Item 19.	Municipal Golf Course	\$ 1,910,500
Item 20.	Parking Facilities	\$ 26,809,401
Item 21.	Old Slave Mart Museum	\$ 350,000
	<b>Total Enterprise Funds Revenue</b>	<b>\$ 33,460,524</b>

**Total Revenues & Other Financing Sources** **\$ 188,593,513**

**Total To Be Appropriated** **\$ 188,593,513**

**Section 2.** That for the purpose of providing the sum of \$67,689,070 for the General Fund operations set forth in Item 1 above, a tax of 78.1 mills hereby is levied upon every dollar of value of all real and personal property in the City of Charleston to be appropriated for several purposes indicated in the annual Appropriations Ordinance and for the purpose of providing funds for drainage improvements hereby is levied a tax of four (4) mills upon every dollar of value of all real and personal property in the City of Charleston, and for the purpose of providing funds for public safety capital expenditures hereby is levied a tax of one and one-half (1.5) mill upon every dollar of value of all real and personal property in the City of Charleston.

**Section 3.** That for the purpose of deriving the revenue estimated in Item 10 above, there is levied a fee on all amounts received by any person, firm, or corporation from the sale of electric energy used within the corporate limits of the City of Charleston, except electric energy paid for by the City Council of Charleston, and also a fee on all amounts received by any person, firm or corporation from the sale of natural or manufactured gas used within the corporate limits of the City of Charleston, except gas paid for by the City Council of Charleston, to be paid as other fees herein of the City of Charleston are paid, and to be calculated on the amounts received from the first of January of the previous year through the thirty-first of December of the previous year, which fees shall be in addition to all other taxes and assessments. The total fee shall be five percent (5%) of the retail electric and gas revenues.

**Section 4.** All taxes hereby levied shall be paid on or before January 15, 2017.

**Section 5.** That for non-payment of taxes on real estate and other personal property (not motor vehicles) hereby levied in the manner and form hereinabove set out, penalties and costs shall be added and imposed as follows:

January 16, 2017 through February 1, 2017, three percent (3%) plus cost.

February 2, 2017 through March 15, 2017, in addition to the three percent (3%) herein specified, an additional seven percent (7%) plus cost.

After March 16, 2017, in addition to the three percent (3%) and seven (7%) herein specified, an additional five percent (5%) until paid, plus all costs of levy, collections, seizure and sale.

Provided, however, that this shall in no way be construed to extend the time for payments of taxes as hereinabove set forth, and the Officers of the City of Charleston, the County of Charleston or Berkeley County are authorized to proceed with the collection and enforcement by levy, sale or otherwise at any time subsequent to the said first day of February, 2017.

**Section 6.** The Sheriff of Charleston County or Berkeley County shall determine the date to sell all real property upon which taxes levied under this ordinance are unpaid; provided, however, nothing herein contained shall prevent the sale upon a subsequent date of real property not sold on the above mentioned date because of error, mistake, oversight or other cause.

**Section 7.** That the taxes herein levied shall constitute a specific lien on the property taxed paramount to all other liens, except those for State and County taxes, from the time the liability for said taxes shall have accrued for the full term of ten (10) years after the said taxes shall have been due and payable.

**Section 8.** That all funds collected under the authority of this ordinance, except as herein directed, are to be held, used and expended for expenses incurred and to be incurred for the fiscal year 2016 and all such expenses, including those represented by the issuance of tax anticipation notes shall be first paid and shall constitute a first lien upon all such funds, and also upon all to the above levy so far as may be necessary to meet the payment of the said tax anticipation notes for expenses incurred in the fiscal year 2016.

**Section 9.** That all the above items are to be paid as herein set forth so far as may be necessary and subject to the provisions of Section 8 of this ordinance, but any balances in any of the above items not used or specifically set aside for use, shall revert to the General Fund.

**Section 10.** That if any sections, item or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining sections, items and portion hereof, which shall remain in full force and effect.

**Section 11.** This ordinance shall take effect January 1, 2016.

Ratified in City Council this 15th day of December, in the Year of Our Lord, 2015, and in the 240<sup>th</sup> Year of the Independence of the United States of America.

**ATTEST:**

---

Joseph P. Riley, Jr., Mayor

---


Vanessa Turner-Maybank, Clerk of Council



*City of Charleston*  
*Joseph P. Riley, Jr.*  
*Mayor*

**MEMORANDUM**

**TO:** City Council

**FROM:** Joseph P. Riley, Jr., Mayor 

**DATE:** November 24, 2015

**RE:** Annual Millage Dedicated to Drainage Fund

Since 1986, City Council has annually appropriated 2 mills specifically earmarked for drainage improvements. This funding source has proven to be a most wise investment, as it has provided a stable source of revenue for bonds and, at times, for providing the matching funds for State and Federal assistance. Because of this funding stream, the City has been able to complete, in whole or in part, the very important projects that are delineated on Attachment A. But as you know, there is more to be done.

Our topography being what it is, it is only prudent that we undertake planning for the rise in sea level that will occur over the next hundred years. That, coupled with our experiences of the past weeks with the rainstorms and King tides, has brought home to me just how necessary it is for us to accelerate efforts to improve drainage and mitigate flooding. Thus, in the 2016 draft Budget Revenue Ordinance, I am recommending that the current mills dedicated to drainage be increased from 2mils to 4 mills. This change will result in approximately \$2.2 million in 2016 to allow us to more aggressively attack our drainage challenges. Staff has studied what additional projects these funds could support, and they are listed on Attachment B.

In discussions with Steve Bedard, I am comfortable that the cost of this change to homeowners will be completely eliminated in no more than two years because of the increase in the local option sales tax (LOST) credit factor. You may recall we projected the 1.5 mills added in 2015 for Public Safety infrastructure would be offset by the LOST credit in two years or less. The offset actually occurred in 2015.

Any increase in millage should be carefully considered to assure that the value it creates to the public is real, and lasting. The projects that stand to be funded by the requested drainage millage increase will fill a real need that will inure to the benefit of our City for generations. And as its impact to the homeowner may be eliminated in as little as two years, I hope that you will act favorably on this recommendation.

Cc: Mayor – Elect J. Tecklenburg

## **Present Drainage Projects**

### **Major Projects Completed**

- Ardmore Drainage Improvements
- Calhoun East Bay
- Church Creek Drainage Basin Improvements
- Meeting Street Brick Arch Rehabilitation (a portion of)
- Byrnes Down Drainage Improvements
- Wagener Terrace Storm Drain Rehabilitation

### **Major Projects Funded and Under Construction**

- Market Street Drainage Improvements (bonds)
- Spring/Fishburne Drainage Basin Improvements (TIF and other State and Federal funds)
- Miscellaneous Minor Repair/Improvement Projects

### **Major Projects Design Complete and Construction Funded**

- Forest Acres Phase I
- Forest Acres Phase II

### **Major Projects Funded for Preliminary Design and Under Contract**

- Calhoun West Drainage Basin Improvements Engineering

\*

### **Major Projects Being Initiated with Current Funding**

- Church Creek Drainage Basin Property Acquisition
- Keats and Oak Forest (St. Andrews Shopping Center)
- Dupont/Wappoo Drainage Study (Citadel Mall, Dupont N, Orleans Rd, Hazelwood Ave.)
- Howle Ave./Hollings/Flemming Rd/Marlborough

\* Most require additional funding

## **Future Drainage Projects**

### **Completion of these projects**

Church Creek Drainage Basin Property Acquisition  
Keats and Oak Forest (St. Andrews Shopping Center)  
Dupont/Wappoo Drainage Study (Citadel Mall, Dupont N, Orleans Rd,  
Hazelwood Ave.)  
Howle Ave./Hollings/Flemming Rd/Marlborough

### **Major Projects Proposed with Additional Funding**

Additions Flood related Property Acquisitions (provide match for FEMA funds)  
Signal Point Road (Riverland South)  
Calhoun West Phase I Construction  
Colonial Lake, Lockwood (Rutledge Ave. and Beaufain)  
Cooper Street, Jackson St., Morrison Drive  
Ashley Hall Road  
South Windermere and Windermere East





## A RESOLUTION

EXPRESSING THE INTENTION TO ESTABLISH THE WEST ASHLEY REDEVELOPMENT PROJECT AREA; AUTHORIZING STAFF TO PREPARE AN OVERALL REDEVELOPMENT PLAN; PROVIDING FOR NOTICE AND PUBLIC HEARING IN CONNECTION WITH THE FOREGOING; AND OTHER MATTERS RELATED THERETO

WHEREAS, the lands located in the area generally known as the "West Ashley Redevelopment Project Area" as shown on Exhibit A and within the general boundaries of Sam Rittenberg Boulevard just east of Ashley River Road connecting northward to Akers Road; Akers Road extending westward along Wallace School Road; Wallace School Road extending southward to connect with Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending westward to Orleans Road; Orleans Road extending northward to Hazelwood Drive; at the intersection of Orleans Road and Hazelwood Drive extending westward to I-526; I-526 connecting to Ashley Town Center Drive; Ashley Town Center Drive extending northwest to Savage Road and just east of Savage Road to N Westchester Drive; N Westchester Drive extending just east of E Westchester Drive and a line connecting back to Ashley Town Center Drive; Ashley Town Center Drive northward and to a line connecting eastward to the I-536 on ramp; I-526 on ramp extending generally southward Savannah Highway; Savannah Highway extending westward to Arlington Drive; Arlington Drive to a line to connecting southward with Rondo Street Extension; Rondo Street Extension extending eastward and northward to Savannah Highway; Savannah Highway extending to Skylark Drive; Skylark Drive to a line extending eastward and then southward beyond Savannah Highway to an abandoned railroad right-of-way; the abandoned railroad right-of-way extending eastward to Dunbar Street; Dunbar Street extending westward and to a line returning northward beyond Savannah Highway to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard eastward to Orleans Road; Orleans Road to just south of Dulsey Road; Dulsey Road to Dupont Road; Dupont Road northward to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard to Wappoo Road and returning to the origin just east of Ashley River Road are predominantly characterized by certain of the qualities set forth at §31-6-30(1) of the Tax Increment Financing Law; and

WHEREAS, City Council of the City of Charleston ("City Council") anticipates utilizing the provisions of Chapter 6 of Title 31 of the Code of Laws of South Carolina 1976, as amended (the "Tax Increment Financing Law") to redevelop this area in a manner that will create new economic development opportunities and improve the quality of life in neighborhoods located in the redevelopment project area hereinafter designated (the "Area"), such redevelopment being in the best interests of the public health, safety, morals, or welfare of the residents and citizens of the City of Charleston (the "City"); and

WHEREAS, the Tax Increment Financing Law is designed to allow municipalities to respond to the challenges posed by blighted areas within its boundaries in order to promote the health, safety, morals and welfare of the public; and

WHEREAS, the use of incremental tax revenues to be derived from the tax rates of the City, Charleston County, Charleston County School District and Charleston County Parks and Recreation District and any other taxing districts in the Area for the payment of redevelopment project costs to be incurred by the City solely for public improvements is of benefit to the taxing districts inasmuch as such taxing districts would not likely derive the benefits of an increased assessment base without the benefits of tax increment financing and all such districts benefit from the removal of blighted conditions; and

WHEREAS, City Council is now minded to begin the process set forth in the Tax Increment Financing Law in order to accomplish redevelopment of the Area; and

WHEREAS, a step in that process is preparation of a Redevelopment Plan as defined at Section 31-6-30(f) of the Tax Increment Financing Law and making that Plan available to all taxing districts of which taxable property is included in the Redevelopment Project Area; and

WHEREAS, City Council is now minded to instruct City staff to prepare the West Ashley Redevelopment Plan and to make such Plan available to all taxing districts of which taxable property is included in the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHARLESTON, SOUTH CAROLINA:

SECTION 1. City Council confirms all the findings of fact contained in the recitals of this Resolution.

SECTION 2. City Council instructs City staff to prepare the West Ashley Redevelopment Plan so that it may be considered by City Council no later than June 30, 2016.

SECTION 3. Prior to giving final reading to the West Ashley Redevelopment Plan and the ordinance approving it, the City shall conduct a public hearing thereon after publishing notice thereof in *The Post and Courier* in form required by the Tax Increment Financing Law. Such public hearing and final readings will be held at a regularly scheduled meeting of the City Council. Such notice shall be published not less than 15 nor more than 30 days prior to the date fixed for the hearing.

SECTION 4. City staff is further instructed to provide Charleston County, Charleston County School District, Charleston County Parks and Recreation District and all other taxing districts which have taxable property included in the Area a copy of the Redevelopment Plan and advise such taxing districts notice of the date set for the public hearing as well as all other information required and in the manner provided by the Tax Increment Financing Law including Section 31-6-80. All such notices shall be provided at such time as City staff shall determine in order to permit City Council to consider an ordinance establishing the West Ashley Redevelopment Project Area this calendar year.

DONE IN MEETING DULY ASSEMBLED, on December 1, 2015.






CITY OF CHARLESTON, SOUTH CAROLINA

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk




 West Ashley Redevelopment Project Area Boundary  
 Property lines  
 Buildings Footprints  
 Parks  
 Charleston City Limits

## Exhibit A: Proposed West Ashley Redevelopment Project Area



**Date:** 11/17/2015

The City of Cheshire will submit to the Board of Health and Human Services the information provided. Data represented herein reflect varying stages of development, and varying status of acquisition.





STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

I, the undersigned, Clerk of City Council of Charleston, South Carolina, DO HEREBY CERTIFY:

That the foregoing is a true, correct and verbatim copy of a Resolution unanimously adopted by the said City Council, having been read at a duly called and regularly held meetings at which a quorum attended and remained throughout on December 1, 2015.

That the said Resolution is now in full force and effect and has not been modified, amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my Hand this \_\_\_\_ day of December, 2015.

---

Clerk of City Council of the City of Charleston,  
South Carolina

57.)

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON ) TITLE TO REAL ESTATE  
CITY OF CHARLESTON )

KNOW ALL MEN BY THESE PRESENTS, that Sabal Homes at Grand Oaks, LLC ("Grantor") in the state aforesaid, for and in consideration of the sum of ONE AND 00/100 DOLLAR (\$1.00), being the true consideration to it in hand paid at and before the sealing of these presents by the CITY OF CHARLESTON, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said CITY OF CHARLESTON ("Grantee"), its successors and assigns, forever, the following described property which is granted, bargained, sold and released for the use of the public forever:

All the of the property underneath, above, and containing those certain streets, roads, drives, and cul-de-sacs situate, lying and being in the City of Charleston, County of Charleston, State of South Carolina, located in The Landing at Grande Oaks, Phase 1 as shown and designated on a plat entitled

"Final Subdivision Plat of The Landing at Grande Oaks Phase 1, Charleston County TMS 301-00-00-433 (Portion); Prepared for Sabal Homes at Grand Oaks, LLC"

prepared by HGBD Surveyors, LLC, dated Sept. 3, 2015, revised 10-20-2015 and recorded in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_ in the RMC Office for Charleston County. Said property butting and bounding, measuring and containing, and having such courses and distances as are shown on said plat. Reference being had to the aforesaid plat for a full and complete description, being all of the said dimensions, a little more or a little less.

This being a portion of the property conveyed to Grantor herein by deed of the Special Services Asset Management Co. dated 6/25/2013 and recorded 6/28/2013 in Book 0341 at Page 819 in the RMC Office for Charleston County, South Carolina.

Grantee's Mailing Address:

City of Charleston  
Department of Public Service  
Engineering Division  
2 George Street  
Suite 2100  
Charleston, South Carolina 29401

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND we do hereby bind ourselves and our heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against us and our heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 15 day of October 2015.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

Grantor

Bridli West

Witness Number One

R. Matthew Jones

Bridlin West

Printed Name

R. Matthew Jones

Printed Name

Barbara Schoonmaker

Witness Number Two

Barbara Schoonmaker

Printed Name

\*\*\*\*

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

PERSONALLY APPEARED before me the undersigned witness and made oath that (s)he saw the within named R. Matthew Jones, by its duly authorized officer PRESIDENT, sign, seal and as its act and deed, deliver the within written Deed, and that (s)he with the other witness witnessed the execution thereof.

Bridli West

SWORN to before me this 15 day of October, 2015

Gary EV Denny  
NOTARY PUBLIC FOR SOUTH CAROLINA

MY COMMISSION EXPIRES: June 30, 2025

STATE OF SOUTH CAROLINA )

COUNTY OF Charleston ) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by Deed BK 0341 Pg 819  
to Sebal Homes at Grand Oaks, LLC on June 25, 2013.
3. Check one of the following: The deed is
  - (A) ☐ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
  - (B) ☐ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
  - (C) ☒ exempt from the deed recording fee because (See Information section of affidavit): \_\_\_\_\_ (explanation required)  
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

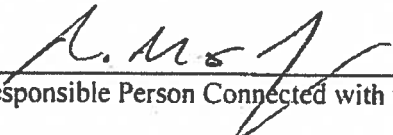
If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes ☐ or No ☐

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
  - (A) ☐ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \_\_\_\_\_
  - (B) ☐ The fee is computed on the fair market value of the realty which is \_\_\_\_\_
  - (C) ☐ The fee is computed on the fair market value of the realty as established for property tax purposes which is \_\_\_\_\_
5. Check YES ☐ or NO ☐ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is \_\_\_\_\_
6. The deed recording fee is computed as follows:
  - (A) Place the amount listed in item 4 above here: \_\_\_\_\_
  - (B) Place the amount listed in item 5 above here: \_\_\_\_\_  
(If no amount is listed, place zero here.)
  - (C) Subtract Line 6(b) from Line 6(a) and place the result here: \_\_\_\_\_



7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is \_\_\_\_\_.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as \_\_\_\_\_.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

  
Responsible Person Connected with the Transaction

A. Matthew Jones  
Print or Type Name Here

Sworn this 28 day of October, 2015  
G. S. E. V. Dennis  
Notary Public for South Carolina  
My Commission Expires: June 30, 2025

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON ) PARTIAL RELEASE

KNOWN ALL MEN BY THESE PRESENTS, that Regions Bank  
is the owner and holder of that certain mortgage, judgment, lis pendens, lien, delinquent tax lien,  
executed by Sabal Homes LLC & Sabal Homes at Grand Oaks LLC dated June 28, 2013, and  
recorded in the Office of the RMC for Charleston County in Book 0341 at Page  
828 on June 28, 2013, with any and all amendments filed thereto, and the  
indebtedness secured thereby, does hereby, for value received, release and relinquish the lien of the  
aforesaid mortgage, judgment, lis pendens, lien, delinquent tax lien insofar, and insofar only, as it  
affects the following property:

ALL those certain streets, roads, drives, cul-de-sacs, and drainage easements situate, lying and  
being in the City of Charleston, County of Charleston, State of South Carolina, located  
in (Insert Property Description) The Landing at Grande Oaks Phase 1 and more fully described on  
Exhibit A attached hereto.

TMS# 301-00-00-433 (portion of)

PROVIDED, HOWEVER, that the security of the said Regions Bank as  
set forth in the mortgage, judgment, lis pendens, lien, delinquent tax lien shall be preserved and  
protected in all respects except as to the property hereinabove referred to and described; and that the  
lien of the said instrument, except as hereby remised, released and discharged, shall remain in full  
force and effect.

IN WITNESS WHEREOF, Regions Bank, by its  
Officer William D. Jewell has caused its name to be  
hereunto subscribed and its seal to be hereunto affixed this \_\_\_\_ day of October, 2015.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF

[Signature]  
Witness Number 1

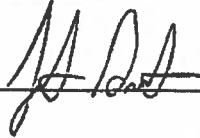
[Signature]  
Witness Number 2

[Signature]  
By: William David Jewell, Jr  
Its: Va Carol L +

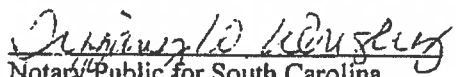
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

ACKNOWLEDGMENT

PERSONALLY appeared before me Justin Smith, and made  
oath that (s)he saw the within named Regions Bank, by its  
Officer, William D. Jewell sign, seal and  
deliver the within written partial release and that (s)he with Brian Blackley,  
witnessed the execution thereof this 15<sup>th</sup> day of October, 2015.



SWORN to before me this 15<sup>th</sup> day  
of October, 2015.

  
Notary Public for South Carolina  
My commission expires: 11/29/17

**Exhibit A**

All those certain pieces, parcels, lots or tracts of land, with any improvements thereon, situate, lying and being in the City of Charleston, County of Charleston, State of South Carolina, being shown and delineated as "Redwing Trail, 50' Right-of-Way", "Fulmar Place, 50 Right-of-Way", "Grouse Park, Right-of-Way Varies", "New 20' City of Charleston Drainage Easement", "20' Wide Pedestrian Access Way & New 20' City of Charleston Drainage Easement" and "New 20' City of Charleston Drainage Easement" on that certain plat entitled "Final Subdivision Plat of The Landing at Grande Oaks Phase 1", prepared for Sabal Homes at Grand Oaks, LLC by HGBD Surveyors, Inc. dated September 3, 2015, last revised September 25, 2015 and recorded \_\_\_\_\_, in Plat Cabinet \_\_\_\_\_ at Page \_\_\_\_\_ and \_\_\_\_\_, Office of the Register of Deeds for Charleston County, and having such boundaries and measurements as shown on the plat described herein, which is specifically incorporated by reference.





STATE OF SOUTH CAROLINA )  
 )  
 )  
 )  
COUNTY OF CHARLESTON )  
 )  
 )  
 )

**EXCLUSIVE STORM  
WATER DRAINAGE  
EASEMENTS  
CITY OF CHARLESTON**

This Agreement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the "City"), and Sabal Homes at Grand Oaks, LLC (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining storm water drainage ditches and appurtenances ("Storm Water System") across a portion of Landing at Grand Oaks Phase I designated by Charleston County tax map number 301-00-00-433 and to accomplish this objective, the City must obtain certain easements from the Owner permitting the maintenance of the Storm Water System through a portion of the Owner's property as hereinafter described; and

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it one exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City one **NEW EXCLUSIVE 20-FOOT WIDE PERMANENT STORM WATER DRAINAGE EASEMENTS**, more fully shown on a plat entitled

**"Final Subdivision Plat of The Landing at Grande Oaks, Phase I, Charleston County  
TMS No. 301-00-00-433 (Portion); Prepared for Sabal Homes at Grand Oaks, LLC"**

prepared by HGBD Surveyors, LLC dated September 3, 2015, executed by J. Bruce King, III, on October 20, 2015, and recorded in Plat Book        at page        in the RMC Office for Charleston, South Carolina (herein the "Plat"). A copy of said plat is attached heretofore as "Exhibit A" and incorporated herein.

SAID EXCLUSIVE STORM WATER DRAINAGE EASEMENTS having such size, shape, location, and butting and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive 20-Foot Wide Permanent Stormwater Drainage Easements for purposes of periodic inspection, maintenance, repair and replacement of the Stormwater System. These

Exclusive 20-Foot Wide Permanent Stormwater Drainage Easements shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owners for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive 20-Foot Wide Permanent Stormwater Drainage Easements during the conduct of its allowable activities as described above.

TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against us and our heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.

WITNESSES:

CITY OF CHARLESTON

\_\_\_\_\_  
Witness #1

\_\_\_\_\_  
By: Laura Cabiness  
Its: Public Service Director  
Date: \_\_\_\_\_

\_\_\_\_\_  
Witness #2

WITNESSES

OWNER

Sabal Homes at Grand Oaks, LLC

Bridin West  
Witness #1

N. A. Jones  
Name: N. A. Jones

Barbara Schoonmaker  
Witness #2

Date: 10/28/15



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**PROBATE**

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named R Matthew Jones sign, on behalf of Sabal Homes at Grand Oaks, LLC, the within Exclusive Permanent Stormwater Drainage Easements, and seal said Exclusive Permanent Stormwater Drainage Easements, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

Barbara Schoonmaker  
Signature of Witness

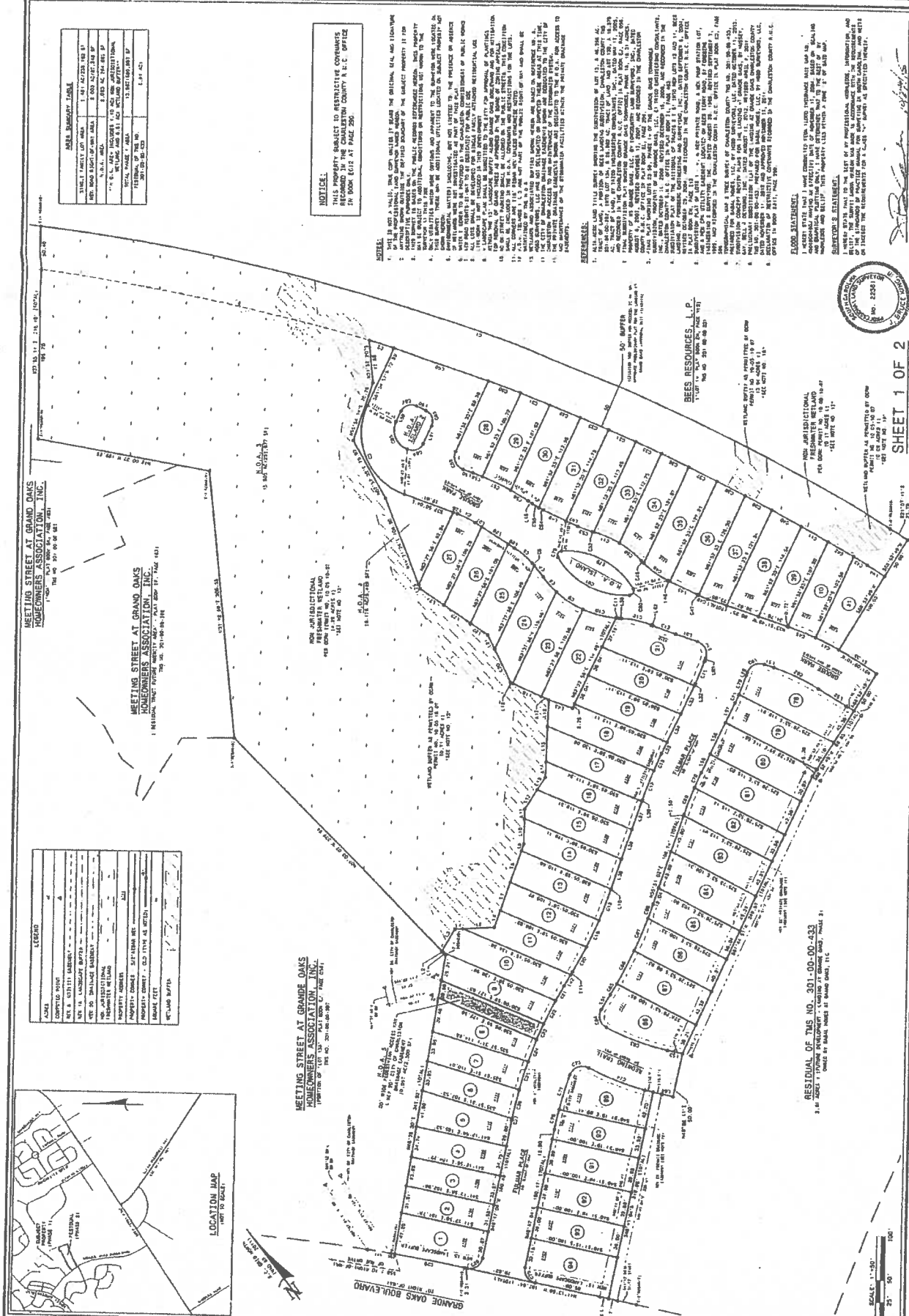
SWORN to before me this  
28 day of October, 2015.

Alyce J. Jones  
Notary Public for South Carolina  
My Commission Expires: June 30, 2025

## PROBATE

Signature of Witness

Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_

[illegible]



J2a.)



Ratification  
Number \_\_\_\_\_

# AN ORDINANCE

TO ADOPT AND AMEND THE BUSINESS LICENSE ORDINANCE FOR THE CITY OF CHARLESTON, SOUTH CAROLINA, ORDINANCE NUMBER 1991-153, AS AMENDED BY ORDINANCE NUMBERS 1991-194, 1992-587, 1993-448, 1994-469, 1995-565, 1996-218, 1997-455, 1998-118, 1999-176, 2000-231, 2001-116, 2002-143, 2003-109, 2004-131, 2005-671, 2006-599, 2007-238, 2008-162, 2009-259, 2010-264, 2011-296, 2012-403, 2013-144, 2014-154 TO ADOPT SAID ORDINANCE, AS AMENDED, AS THE BUSINESS LICENSE ORDINANCE FOR THE CITY OF CHARLESTON, SOUTH CAROLINA, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

The City of Charleston Business License Ordinance is hereby amended by adding thereto the following underlined words and deleting the stricken text, which shall read as follows:

## **"Section 1. License Required.**

Every person engaged or intending to engage in any calling, business, occupation or profession listed in the rate classification index portion of this ordinance, in whole or in part, within the limits of the City of Charleston, South Carolina, is required to pay an annual license fee for the privilege of doing business and obtain a business license as herein provided.

## **Section 2. Definitions.**

The following words, terms and phrases, when used in this ordinance, shall have the meaning ascribed herein:

*"Business"* means a calling, occupation, profession, or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly.

*"City"* means the City of Charleston.

*"Classification"* means that division of businesses by major groups subject to the same license rate as determined by a calculated index of ability to pay based on national averages, benefits, equalization of tax burden, relationships of services, or other basis deemed appropriate by City Council.

*"Due Date"* means the date and year when the income is required to be reported to the Business License Official as provided herein.

*"Gross Income"* means the total income of a business, received or accrued, for one calendar year collected or to be collected from business done within the City, excepting therefrom income earned outside of the City of Charleston on which a license tax is paid to some other municipality or county and fully reported to the City of Charleston. Gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax. Gross income for brokers or agents means gross commissions received or retained, unless otherwise

specified. Gross income for insurance companies means gross premiums collected. Gross income for business license tax purposes shall not include taxes collected for a governmental entity, escrow funds, or funds which are the property of a third party and held in escrow. The value of bartered goods or trade-in merchandise shall be included in gross income. The gross income for business license purposes may be verified by inspection of returns and reports filed with the Internal Revenue Service, the South Carolina Department of Revenue, the South Carolina Insurance Commission, or other government agency.

*"License Official"* means the "Revenue Collections Division Director" or such other person designated by him or her to administer this ordinance.

*"Municipality"* means the City of Charleston, South Carolina.

*"Person"* means any individual, firm, partnership, LLP, LLC, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principals.

*"Real Estate Developer"* means an individual or entity who, for a fee, salary, commission, or other valuable consideration, or who, with the intent or expectation of receiving compensation, engages in any activity involving the sale, purchase, exchange or lease of land and otherwise holds himself or itself out to the public or another business entity as being engaged in any of the foregoing activities.

### **Section 3. Purpose and Duration.**

The business license levied by this ordinance is for the purpose of providing such regulation as may be required for the business subject thereto and for the purpose of raising revenue for the general fund through a privilege tax. Each license shall be issued for one year and shall expire on December 31. The provisions of this ordinance and the rates herein shall remain in effect from year to year as amended by Council.

### **Section 4. License Fee.**

a. The required license fee shall be paid for each business subject hereto according to the applicable rate classification on or before the 31<sup>st</sup> day of January in each year, except that the due date for insurance companies shall be May 31<sup>st</sup>.

b. If the due date for payment falls on a Saturday or Sunday, or a Federal, State, or City of Charleston observed holiday then payment is considered timely on the following business day. Furthermore, if the due date for payment falls during the period of a natural disaster which directly precluded the responsible party from timely submitting the payment, an additional ten (10) day extension may be granted upon written request by the responsible party to the Director of the Revenue Collections Division. A natural disaster is defined as a hurricane, earthquake, flood, or tornado. The responsible party is considered directly precluded from timely submitting payment if their offices are deemed by emergency officials to be damaged to the extent of being unsafe or unavailable for use due to the disaster or postal service to the immediate area is suspended during the due date.

c. ~~A separate license shall may be required for each place of business and for each classification or business conducted at one place.~~ A separate license shall be required for each place of business and for each classification or business conducted at one place. If gross income cannot be separated for classifications at one location, the license tax shall be computed on the combined gross income for the classification requiring the highest rate. Businesses that sell alcohol for on-premise consumption in addition to conducting other types of business activities are required to secure a 8-724410, a

2-722410, or a 8-724410 classification in addition to any other business license required for that place of business.

d. If gross income cannot be separated for classifications at one location, the license fee shall be computed on the combined gross income for the classification requiring the highest rate. A license fee based on gross income shall be computed on the gross income for the preceding calendar or fiscal year, and on a twelve-month projected income based on the monthly average for a business in operation for less than one year. The fee for a new business shall be computed on the estimated probable gross income stated in the license application for the balance of the license year. The initial fee for an annexed business shall be prorated for the number of months remaining in the license year. No refund shall be made for a business that is discontinued.

#### **Section 5. Registration Required.**

a. The owner, agent or legal representative of every business subject to this ordinance, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year; *provided*, a new business shall be required to have a business license prior to operation within the Municipality.

b. Application shall be on a form provided by the License Official which shall contain the Federal Employer's Identification Number, the business name as reported on the South Carolina income tax return, South Carolina Sales Tax Number, if applicable, the applicant's Driver's License Number, and all information about the applicant and the business deemed appropriate to carry out the purpose of this ordinance by the License Official. Applicants may be required to submit copies of portions of state and federal income tax returns reflecting gross income figures.

c. The applicant shall certify under oath that the information given in the application is true, that the gross income is accurately reported, or estimated for a new business, without any unauthorized deductions, and that all assessments and personal property taxes on business property due and payable to the Municipality have been paid.

d. Before a business license may be issued to a business physically located within the municipal limits of the City of Charleston, the owner, agent, or legal representative shall procure a certificate of occupancy, occupancy permit, or a certificate of operation for each location proposed to be operated by that business before commencing business operations.

e. Insurance agents and brokers shall report the name of each insurance company for which a policy was issued and the total premiums collected for each company for each type of insurance coverage on a form approved by the License Official. An insurance agent not employed by a company shall be licensed as a broker.

#### **Section 6. Collection of Insurance Fees.**

Pursuant to S.C. Code Ann. §§ 38-7-160 and 38-45-60, The Municipal Association of South Carolina is designated the municipal agent for purposes of administration of the municipal broker's premium tax. The Mayor is hereby authorized to execute an agreement with the Municipal Association for the administration and collection of current and delinquent license taxes from insurance companies as authorized by S.C. Code § 5-7-300 and the municipal broker's premium tax.

#### **Section 7. Collection of Telecommunication Fees.**

A. Notwithstanding any other provisions of the Business License Ordinance, the business license tax for "retail telecommunications services", as defined in S. C. Code Section 58-9-2200, shall be at the maximum rate authorized by S. C. Code Section 58-9-2220, as it now provides or as provided by amendment. The business license tax year shall begin on January 1 of each year. Declining rates shall not apply.

B. In conformity with S.C. Code Section 58-9-2220, the business license tax for "retail telecommunications services" shall apply to the gross income derived from the sale of retail telecommunications services for the preceding calendar or fiscal year which either originate or terminate in the municipality and which are charged to a service address within the municipality regardless of where these amounts are billed or paid and on which a business license tax has not been paid to another municipality. The measurement of the amounts derived from the retail sale of mobile telecommunications services shall include only revenues from the fixed monthly recurring charge of customers whose service address is within the boundaries of the municipality. For a business in operation for less than one year, the amount of business license tax shall be computed on a twelve-month projected income.

C. The business license tax for "retail telecommunications services" shall be due on January 1 of each year and payable by January 31 of that year, without penalty.

D. The delinquent penalty shall be five percent (5 %) of the tax due for each month, or portion thereof, after the due date until paid.

E. Exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Properly apportioned gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.

F. Nothing in this Ordinance shall be interpreted to interfere with continuing obligations of any franchise agreement or contractual agreement in the event that the franchise or contractual agreement should expire after December 31, 2003.

G. All fees collected under such a franchise or contractual agreement expiring after December 31, 2003, shall be in lieu of fees or taxes which might otherwise be authorized by this Ordinance.

H. As authorized by S. C. Code Section 5-7-300, the Agreement with the Municipal Association of South Carolina for collection of current and delinquent license taxes from telecommunications companies pursuant to S. C. Code Section 58-9-2200 shall continue in effect.

#### **Section 8. Deductions, Exemptions, and Charitable Organizations.**

a. No deductions from gross income shall be made.

b. The applicant shall have the burden to establish the right to exempt income by satisfactory records and proof. It is the intent of this ordinance that the rule laid down by the Supreme Court of South Carolina in the case of **Triplet v. The City of Chester, 209 SC 3445, 40SE 2d 684 (1946)** shall be followed.

c. A separate itemized listing showing and explaining all deductions must accompany the license application, either new or renewal, or no deductions will be allowed.

d. No person shall be exempt from the requirements of the ordinance by reason of the lack of an established place of business within the Municipality, unless exempted by State or federal law. The License Official shall determine the appropriate classification for each business in accordance with the latest issue of the ~~North American Industrial Classification U.S. Bureau of Budget Standard Industrial Classification manual~~ North American Industry Classification System code. No person shall be exempt from this ordinance by reason of the payment of any other tax, unless exempted by State law, and no person shall be relieved of liability for payment of any other tax by reason of application of this ordinance.

e. A Charitable organization shall be deemed a business unless the entire proceeds of its operation are devoted to a charitable purpose.



**Section 8. False Application Unlawful.**

It shall be unlawful for any person subject to the provisions of this ordinance to make a false application for a business license, or to give or file, or direct the giving or filing of any false information with respect to the license or fee required by this ordinance.

**Section 9. Display and Transfer.**

a. All persons shall display the license issued to them on the original form provided by the License Official in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident shall carry the license upon his person readily available for inspection by any authorized agent of the Municipality.

b. A change of address must be reported to the License Official within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification by the License Official and compliance with zoning and building codes. Failure to obtain the approval of the License Official for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license.

c. A business license shall not be transferable and a transfer of controlling interest shall be considered a termination of the old business and the establishment of a new business requiring a new business license. In the event of a sale or transfer of a business, the purchaser or new owner(s) may apply to the License Official for a credit for fees previously paid toward the new license fees. Upon determination by the License Official that the new business is the same as the previously licensed business, the License Official shall deduct from fees due a pro rated credit for license fees paid. The applicant for such credit shall pay an administrative fee of \$50.00, notwithstanding such credits. Such application shall be made within thirty (30) days of any transfer or sale. The transfer of any partial ownership shall be reported to the License Official.

**Section 10. Administration of Ordinance.**

The License Official shall administer the provisions of this ordinance, collect license fees, issue licenses, make or initiate investigations and audits to insure compliance, initiate denial or revocation procedures, report violations to the municipal attorney, assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this ordinance, and perform such other duties as may be duly assigned.

**Section 11. Inspections and Audits.**

a. The License Official shall make systematic inspections and periodic audits of businesses within the Municipality to insure compliance with the ordinance. All licensees and applicants under this ordinance hereby submit to the jurisdiction of the City, its License Official, or other authorized agents for the purposes of inspections or audits of books and records.

b. For the purpose of enforcing the provisions of this ordinance the License Official or other authorized agent of the Municipality is empowered to enter upon the premises of any person subject to this ordinance to make inspections, examine and audit books and records. It shall be unlawful for any such person to fail or refuse to make available the necessary books and records. Failure to permit such inspections or audits shall be sufficient cause to deny, revoke, or suspend a license by the License Official.

c. In the event an audit or inspection reveals that the licensee has failed to pay the proper amount of fees, an audit notice shall be served by certified mail. An application of adjustment of the audit may be made to the License Official within fifteen (15) days after the notice is mailed or the audit will become final.

d. In the event an audit or inspection reveals that the licensee has filed false information or under reported its income, the costs of the audit may be added to the correct license fee. Additionally, penalties shall be added to the outstanding fees as provided herein and each day of failure to pay the proper amount of license fee and penalty shall constitute a separate offense.

e. Financial information obtained by inspections and audits shall not be deemed public records, and the License Official shall not release the amount of license taxes paid or the reported gross income of any person by name without written permission of the licensee. The License Official may disclose gross incomes of licenses to the Internal Revenue Service, South Carolina Tax Commission or Charleston County Tax Appraiser for the purpose of assisting tax assessments, tax collections and enforcement. Such disclosure shall be for internal, confidential and official use of these governmental agencies and shall not be deemed public records.

## **Section 12. Assessments.**

a. If a person fails to obtain a business license or to furnish the information required by this ordinance or the License Official, the License Official shall examine such records of the business or any other available records as may be appropriate, and conduct such investigations and statistical surveys as the License Official may deem appropriate to assess a license tax and penalties as provided herein.

b. A notice of assessment shall be served by certified mail. An application for adjustment of the assessment may be made to the License Official within fifteen (15) days after the notice is mailed or the assessment will become final. The License Official shall establish the procedures for hearing an application for adjustment of assessment and issuing a notice of final assessment.

## **Section 13. Delinquent License Fees, Partial Payment.**

a. For non-payment of all or any part of the correct license fee, the License Official shall levy and collect a late penalty of five (5%) percent of the unpaid fee for the first month or portion thereof after the due date and an additional twenty-five (25%) percent for the second month or portion thereof after the due date, for a total of thirty (30) percent, and an additional five (5%) percent per month or portion thereof for the third month, and each subsequent month after the due date until paid or penalties reach a total of fifty-five (55%) percent of the correct license fee. If any license fee remains unpaid for sixty (60) days after its due date, the License Official may report it to the municipal attorney for appropriate legal action.

b. The penalty for delinquent insurance payments shall be 5% of the tax due per month, or portion thereof, after the due date until paid.

c. Penalties shall not be waived.

d. Partial payment may be accepted by the License Official to toll imposition of penalties on the portion paid; *provided*, however, no business license shall be issued or renewed until the full amount of the tax due, with penalties, has been paid.

## **Section 14. Notices.**

The License Official may, but shall not be required to, mail written notices that license fees are due. If notices are not mailed there shall be published a notice of the due date in a newspaper of general circulation within the municipality three (3) times prior to the due date in each year.

Additionally, the License Official may, but shall not be required to, mail a written reminder that license fees are due. The written reminder should state the due date for the business license fee, the penalties for failing to pay timely and contact information for the Revenue Collections Department.

Failure to receive notice shall not constitute a defense to prosecution for failure to pay the tax and penalties due.

#### **Section 15. Denial of Business License.**

- a. The License Official may deny a business license to an applicant when the application is incomplete, contains a misrepresentation, false or misleading statement, evasion or suppression of a material fact, or when the activity for which a business license is sought is unlawful or constitutes a public nuisance *per se* or *per accidens*. A denial shall be written with reasons therefore stated.
- b. No business license shall be issued to a business physically located in the City of Charleston until a certificate of occupancy, occupancy permit, or a certificate of operation has been applied for and issued indicating approval of the Zoning Administrator, Fire Department and the Building Inspector for the operation of the applicant's business at the proposed location. Applicants shall purchase a business license within five (5) days after the certificate of occupancy, occupancy permit, or a certificate of operation has been issued.
- c. No business license may be issued to a business if that business, or a principal officer of that business owes the City of Charleston for outstanding business license fees, unless a payment plan has been approved by the License Official.
- d. No business license may be issued to a business if that business, or the agent, or a principal officer of that business has engaged in an unlawful activity or nuisance related to the business or to a similar business in the City or in another jurisdiction.
- e. No business license may be issued to a business if that business, or the agent, or a principal officer of that business has had a business license for the business or for a similar business in another jurisdiction that has been denied, suspended, or revoked in the previous license year.

#### **Section 16. Suspension or Revocation of License.**

When the License Official determines:

1. A license has been mistakenly or improperly issued or issued contrary to law; or
2. A licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this ordinance; or
3. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application; or
4. A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or
5. A licensee has engaged in an unlawful activity or nuisance related to the business;

the License Official may take actions to suspend or revoke the business license by giving written notice to the licensee or the person in control of the business within the municipality by personal service or certified mail that the license is suspended or suspended pending a hearing before the Business License Committee for the purpose of determining whether the license should be revoked. The notice shall state the time and place at which the hearing is to be held, which shall be at a regular or special Business License Committee meeting within thirty (30) days from the date of service of the notice, unless continued by agreement. The notice shall contain a brief

statement of the reasons for suspension or suspension and proposed revocation and a copy of the applicable provisions of this ordinance.

**Section 17. Appeals and Appeal Procedure.**

- a. A final assessment may be appealed to the Business License Committee only by payment in full of the assessment under protest within fifteen (15) business days of receiving the final assessment and by filing with the Clerk of Council and the License Official a written notice of appeal within fifteen (15) business days after payment setting forth plainly, fully, and distinctly why the decision is contrary to law. The Business License Official shall have the authority to grant a one time fifteen (15) business day extension for payment in full of the assessment in cases where hardship has been demonstrated by the business licensee. The business licensee must request a hardship consideration in writing before the original fifteen (15) business day requirement for payment expires. The granting of a payment extension will automatically extend the time period for filing the appeal to fifteen (15) business days after the payment is tendered.
- b. Any person aggrieved by a final decision of the License Official regarding a final audit may appeal the License Official's decision to the Business License Committee only by payment in full of the final audit under protest within fifteen (15) business days of receiving the final audit and by filing with the Clerk of Council and the License Official a written notice of appeal within three (3) years after payment setting forth plainly, fully, and distinctly why the decision is contrary to law.
- c. A decision of the License Official shall be subject to appeal to the Business License committee.
- d. Business License hearings requested pursuant to this section shall be scheduled within thirty (30) days after receipt of a proper request for an appeal unless continued by agreement.
- e. Any person aggrieved by a final decision of the Business License Committee regarding a suspension or revocation of a business license, or a decision by the Business License Committee on a matter appealed to it in accordance with the procedures outlined in this section may appeal the decision of the Business License Committee to the circuit court in and for the county by filing with the clerk of court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within thirty days after the affected party receives actual notice of the decision of the Business License Committee.
- f. At a hearing held before the Business License Committee, all parties shall have the right to be represented by counsel, to present testimony and evidence and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by City Council shall govern the hearing. The Business License Committee with a quorum of members in attendance shall by majority vote of members present render a written decision based on findings of fact and the application of the standards herein which shall be served upon all parties or their representatives.

**Section 18. Consent, franchise or business license fee required.**

The annual fee for use of streets or public places authorized by a consent agreement or franchise agreement shall be set by the ordinance approving the agreement and shall be consistent with limits set by State law. Existing franchise agreements shall continue in effect until expiration dates in the agreements. Franchise and consent fees shall not be in lieu of or be credited against business license fees unless specifically provided for by the franchise or consent agreement.

**Section 19. Confidentiality.**

Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any official or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this ordinance. Nothing in this section shall be construed to prohibit the publication of statistics so

classified as to prevent the identification of particular reports or returns. Any license data may be shared with other public officials or employees in the performance of their duties, whether or not those duties relate to enforcement of the license ordinance.

**Section 20. Violations.**

Any person violating any provision of this ordinance shall be deemed guilty of the offense and shall be subject to a fine of up to \$500.00 or imprisonment for not more than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties and costs provided for herein.

**Section 21. Severability.**

A determination that any portion of this ordinance is invalid or unenforceable shall not affect the remaining portions.

**Section 22. Classification and Rates.**

a. The license fee for each Class of business shall be computed in accordance with the following rates. The major groups of businesses included in each Class are listed with the major group number according to the North American Industry Classification System code. The License Official shall determine the proper class for business according to the NAICS.

b. Unless otherwise specifically provided, all minimum fees and rates shall be doubled for itinerants having no fixed principle place of business in the City of Charleston. A construction site trailer or a structure in which the contractor temporarily resides is not deemed a fixed principal place of business."

~~c. If there is no SIC code for a type of business, the License Official shall determine the proper class for the business by placing it in a SIC Code using the NAICS to 1987 SIC cross-reference table."~~

**Section 23.** This Ordinance shall become effective January 1, 2016.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_,  
in the Year of Our Lord, 2015, and in the 240<sup>th</sup> Year of  
the Independence of the United States of America.

BY:

\_\_\_\_\_  
Joseph P. Riley, Jr.  
Mayor, City of Charleston

ATTEST:

BY:

\_\_\_\_\_  
Vanessa Turner Maybank  
Clerk of Council

J3(b)



Ratification  
Number \_\_\_\_\_

# AN ORDINANCE

TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 21, SECTION 115 TO PROVIDE REGULATIONS FOR THE OPERATION OF UNMANNED AERIAL VEHICLES.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS IN CITY COUNCIL ASSEMBLED:

**Section 1.** Chapter 21, Section 115 of the Code of the City of Charleston is hereby amended by adding thereto the following underlined provisions, which shall read as follows:

Sec. 21-115. – Drones or unmanned aerial vehicles.

(a) Definitions.

As used in this section, the following terms shall have meanings indicated.

- (1) Drones or unmanned aerial vehicles shall mean any object or machine that is capable of sustained flight in the atmosphere from the surface to four hundred (400) feet above ground level that are not exempted under FAA regulations.

(b) Prohibitions.

- (1) Drones or unmanned aerial vehicles shall not be operated in a manner that disrupts the quiet enjoyment of property or imposes any risk to persons or damage to property.
- (2) Drones or unmanned aerial vehicles shall not be operated while any operator thereof is under the influence of alcohol or while using any drug that could adversely affect the operator's ability to safely control the drone or unmanned aerial vehicle.
- (3) Drones or unmanned aerial vehicles shall not be equipped with pyrotechnical devices that explode or burn, or any device which

propels a projectile or drops any object or noxious material that creates a hazard to persons or property.

- (4) Drones or unmanned aerial vehicles shall not be operated over or within one-quarter mile of any school property while the school is in session, hospitals, parks, recreation facilities and fields, sporting events, road races or walks, outdoor festivals or fireworks shows, stadiums, public gatherings of 50 or more people, near moving vehicles, highways, bridges, busy streets or anywhere they might interfere with or distract drivers.
- (5) Drones or unmanned aerial vehicles shall not be operated beyond the normal unaided "line of sight" of the person operating it.
- (6) Drones or unmanned aerial vehicles fitted with a camera must always be flown at least two hundred feet (200 ft.) away from a person, vehicle, building, or structure.
- (7) Drones or unmanned aerial vehicles shall not be operated within five (5) miles of an airport unless granted authority by the airport and the control tower before flying.
- (8) Drones or unmanned aerial vehicles shall not be operated at night or whenever weather conditions would impair the operator's ability to do so safely.
- (9) Drones or unmanned aerial vehicles shall not be operated in violation of FAA rules or regulations as they are adopted or amended from time to time, or operated in violation of federal or state law as amended from time to time.

(c) Identification.

- (1) Drones or unmanned aerial vehicles shall be required to be identified with the name and address of the owner/operator affixed to the outside of the aircraft.

(d) Exceptions.

- (1) Notwithstanding the above, none of the prohibitions recited in this Section shall apply to police or fire department activities or to activities permitted by the FAA, state, or federal law.
- (2) Notwithstanding the above, none of the prohibitions recited in this Section shall apply to captive balloons.
- (3) It shall be lawful to use a drone or an unmanned aerial vehicle for the purpose of mapping, emergency management activities,

public resource management, and for the operation of utility management unless otherwise prohibited by law.

- (4) Drones or unmanned aerial vehicles used in connection with a Special Event that have received prior permission to operate through the Special Events Committee as a part of that Special Event Permit.

**Section 2.** This Ordinance shall become effective upon ratification.

Ratified in City Council this \_\_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord, 2015, in the 240<sup>th</sup> Year of Independence of the United States of America.

By:

\_\_\_\_\_  
Joseph P. Riley, Jr.  
Mayor, City of Charleston

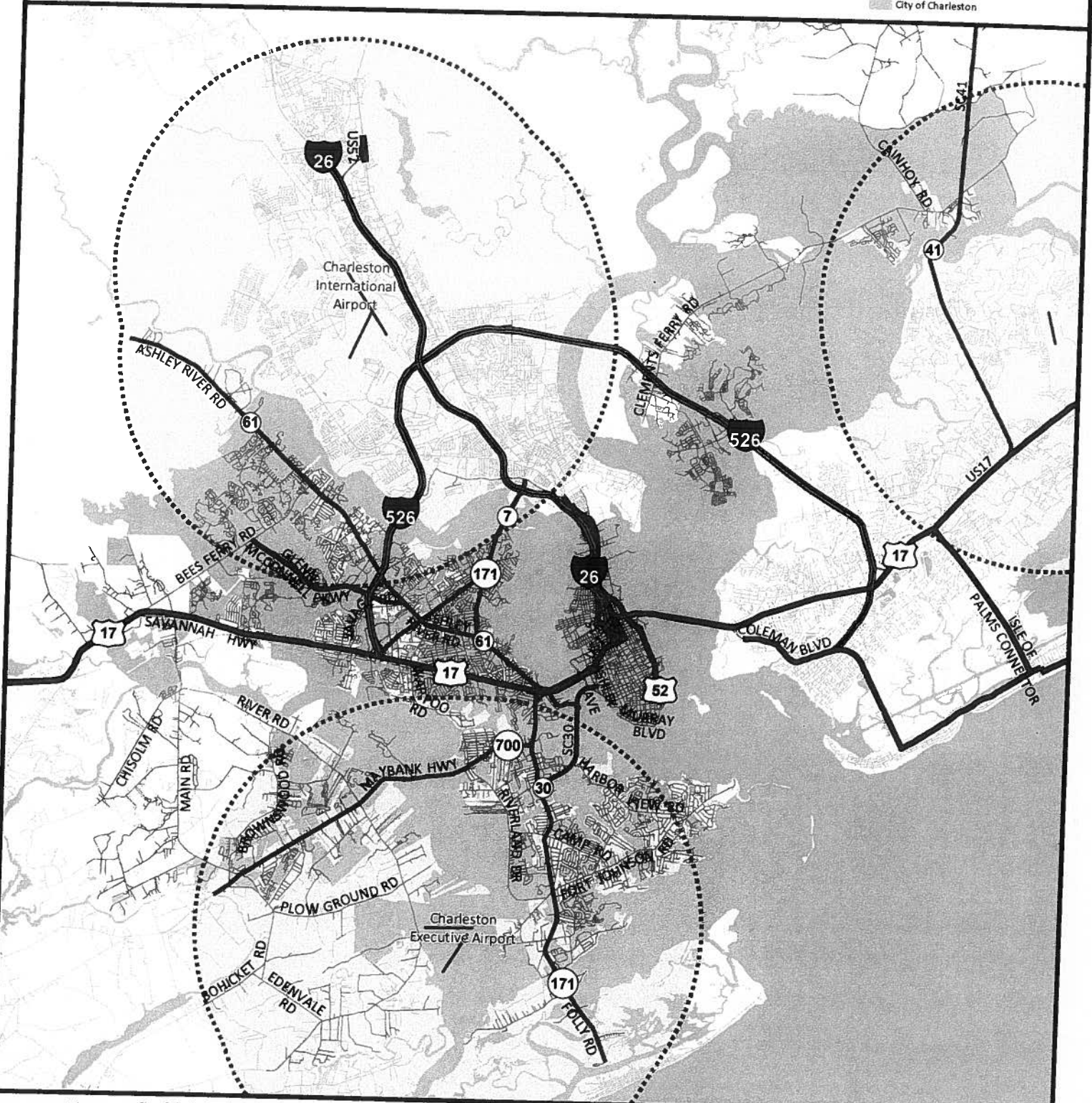
ATTEST:

\_\_\_\_\_  
Vanessa Turner Maybank  
Clerk of Council



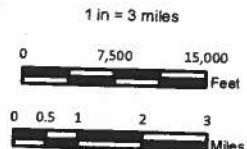
# Airports in the Charleston area with 5 mile distance rings

- Airport runways
- ▬ Interstates
- ▬ US Highways
- ▬ State Highways
- Streets
- Charleston County Streets
- ▬ Airport runways 5 mile distance rings
- Water
- City of Charleston



City of Charleston  
Department of Information Technology  
GIS Division  
2 George St, Suite 2800  
Charleston, SC 29401  
[www.charleston-sc.gov](http://www.charleston-sc.gov)

© Copyright 2015 City of Charleston  
All Rights Reserved



**Important Disclaimer Notice**  
The City of Charleston makes no warranty, representation, or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any information provided herein or derived from the mapping data for any reason. The City of Charleston explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. The user knowingly waives any and all claims for damages against any and all of the entities comprising the City of Charleston that may arise from the mapping data.



Map created 9/28/2015